INSPECTION FORM

Region:
LAND BASED TSDF
COMMERCIAL TSDF
OTHER TSDF
GENERATOR
OTHER

NEW YORK STATE INDUSTRIAL HAZARDOUS WASTE MANAGEMENT ACT
(Chapter 639, Laws of 1978)

Prepared for:

Commissioner
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Send to: Division of Hazardous Substances Regulation
Compliance Inspection Section
50 Wolf Road - Room 208
Albany, New York 12233-7252

EPA I.D. NUMBER: NYD981134687

COMPANY NAME (Corporate): JPG Auto Body Inc

(Division): _____

COMPANY MAILING ADDRESS: 1632 Hylan Boulevard

_____

City & State Staten Island, NY Zip Code 10305

COMPANY LOCATION ADDRESS: _____

(if different than mailing) _____

City & State _____, NY Zip Code _____

COMPANY TELEPHONE NUMBER: (718) 979-9200 Extension _____

FULL NAME OF COMPANY CONTACT: (Mr.) (Ms.) John Grotto

TITLE OF COMPANY CONTACT: Owner

INSPECTION DATE: 12/17/1993 TIME OF INSPECTION: ___(a.m.) 130 (p.m.)

INSPECTOR'S NAME: Michael Scudese

TITLE: Environmental Scientist

NAME: _____

TITLE: _____

REPORT PREPARED BY: M. Scudese DATE: 12/20/93

REPORT APPROVED BY: _____ DATE: _____

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APPENDICES

(Need Not Attach If Not Required - Circle Attached Appendices)

PART I

General Information and Classification of Facility

1. Identification of Hazardous Waste - 371 — Yes / No

A. Facility generates and/or stores hazardous waste on-site. — Yes: X / No: ___

(1) X Company filed a RCRA hazardous waste notification and/or Part A of RCRA permit application.

(2) X Company has used knowledge of the hazardous characteristic of the waste to determine if it is hazardous.

(3) X Testing has shown characteristics of:

(X) Ignitability (D001) - 371.3(b)
( ) Corrosivity (D002) - 371.3(c)
( ) Reactivity (D003) - 371.3(d)
( ) EP Toxicity (D004 - 017) - 371.3(e)

(4) X The material is listed in the regulations as a hazardous waste from non-specific sources (F-Waste). 371.4(b).

(5) ___ The waste is listed in the regulations as a hazardous waste from specific sources (K-Waste). 371.4(c).

(6) ___ The material is listed in the regulations as an acute hazardous waste (P-Waste). 371.4(d)(5).

(7) ___ The material or product is listed in the regulations as a discarded commercial chemical product, off-specification species or manufacturing chemical intermediate (U-Waste). 371.4(d)(6).

(8) ___ The material is listed in the regulations as a waste containing PCBs. 371.4(e).

B. Is there reason, other than those above, for you to believe that there is hazardous waste on site? (Explain) No

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C. The handler notified EPA as a:

Large Quantity Generator

Has EPA or DEC officially modified the handlers status? If so, attach correspondence.

No

D. If the facility is a treatment, storage or disposal facility, have they:

___ Submitted a Part A application.

___ Should the Part A be modified by the Company? If so, explain.

___ Been granted a Part B permit.*

___ Submitted a Part 373 permit application.

___ Been granted a Part 373 permit or operating under SAPA with a Part 360 permit.*

If so, when does it expire: _____

*Complete Appendix M - indicate compliance status with permit conditions.

2. Exemptions

A. Generator Exemptions

(1) ___ Not a regulated handler.

(2) ___ Samples collected for testing. 372.1(e)(5).

(3) ___ Residues of hazardous waste in empty containers. 372.1(e)(6).

(4) ___ A hazardous waste which is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated non-waste treatment manufacturing unit is not

subject to regulation until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials. 372.1(e)(7).

B. TSD Exemptions

1. TSD exemptions

(a) ___ Recycling of Hazardous Wastes: 373-1.1(d)(1)(viii). Parts 373-2.2(c), 372.4(b), 372.4(d)(1) must be complied with (Storage of wastes prior to recycling is not exempt under this subparagraph.) In addition:

- This exemption does not apply to commercial facilities which recycle listed hazardous wastes or hazardous waste sludges received from off-site or burn these wastes for energy recovery;

- Commercial facilities that reclaim precious metals from hazardous wastes do qualify;

- This exemption does not apply to boiler and industrial furnaces that burn hazardous wastes for energy recovery if the waste stream has a heat value of less than 8,000 BTU/lb.

- Mobile or transportable commercial facilities which operate on the generator's site, if a containment area which meets the requirements of subdivision 373-2.9(f) is provided for the reclaiming facility and any associated temporary container holding or storage area.

(b) ___ The storage of the following hazardous wastes is exempt from permitting provided that Part 374 of this Title is complied with: 373-1.1(d)(1)(vii).

- hazardous wastes that are recycled in a manner constituting disposal;

- hazardous waste burned for energy recovery in boilers and industrial furnaces that are not regulated under section 373-2.15 or 373-3.15 of this Part. This exemption is not available if the hazardous waste stream has individual hazardous waste components with little or no heat value (less than 8,000 BTU/lb);

- hazardous waste from which precious metals (as defined in section 374.6 of this Title) are being reclaimed; and

- spent lead acid batteries that are being reclaimed by battery crackers or secondary lead smelters.

(c) ___ Totally enclosed treatment facility - 373-1.1(d)(1)(xi).

(d) ___ Elementary neutralization units or wastewater treatment units other than units located at commercial facilities. Units utilized only to neutralize or treat hazardous waste from recycling characteristic hazardous wastes or for precious metal recovery at commercial facilities are exempt. 373-1.1(d)(1)(xii) (Complete Appendix Q).

(e) ___ Storage of hazardous waste generated and stored on-site for 90 days or less and 8,800 gallons or less is stored in containers or 20,000 gallons or less is stored in tanks. 373-1.1(d)(1)(iii).

(f) ___ Storage of liquid hazardous waste over the designated sole source aquifers provided the waste is stored less than 90 days and 8,800 gallons or less is stored in containers or 20,000 gallons or less is stored in tanks. 373-1.1(d)(1)(iv).

(g) ___ The on-site treatment of hazardous waste, by the generator, in the same tanks or containers used for accumulation and storage is exempt provided the generator complies with 6NYCRR Part 373-1.1(d)(1)(iii) and (iv). 373-1.1(d)(1)(ix).

(h) ___ Storage and treatment of hazardous waste on-site of generation if generates less than 100 kilograms and stores less than 1,000 kilograms of hazardous waste in each calendar month and not generate or store acute hazardous waste as described in 373-1.1(d)(1)(b). 373-1.1(d)(1)(v).

(i) ___ Accumulation areas. Complete Part II: 3A. 373-1.1(d)(1)(xiv).

(j) ___ Storage of manifested shipments of hazardous waste in containers or vehicles by a transporter at its own transfer facility for 5 days or less. Complete Appendix B. 373-1.1(d)(1)(xv).

3. Hazardous Waste Special Assessment Fees - Article 27-0923 ECL

Is the company aware that a Quarterly Hazardous Waste Special Assessment Return (Form TP 550) is required for any quarter in which hazardous waste is generated and disposed of in any quantity and method that would produce an assessment of at least $27 for that quarter?* Yes ___ No ___

* The review of Form TP 550 or the failure to submit a form when required will be the subject of a separate action by the Department.

4. Status Identification:

A. ___ Transporter - complete Appendix B

B. Generator Status Identification

1. ___ Category 1 - Conditionally Exempt Generator - generates less than 100 kg/mo and stores less than 100 kg. - 372.1(e)(1)(vii)(a) Complete Part II, 1A.

2. X Category 2 - Small Quantity Generator - generates less than 100 kg/mo and stores more than 100 kg but less than 1,000 kg. - 372.2(a)(8)(vi) - Complete Part II, 1B.

3. ___ Category 3 - Generator Subject to Reduced Requirements - generates more than 100 kg/mo but less than 1,000 kg/mo and stores less than 1,000 kg. - 372.2(a)(8)(iii) - Complete Part II, 1C.

4. ___ Category 4 - Generator - generates and/or stores 1,000 kilograms or more per month or generates acute hazardous waste in quantities greater than 1 kg per month. Complete Part II, Questions 2-7. (Generators over sole source aquifers also complete Appendix A.)

C. Treatment, Storage or Disposal Facility Status

1. Hazardous waste is generated and stored on-site. If so:

(a) ___ Is hazardous waste stored on-site longer than 90 days? 373-1.1(d)(1)(iii) - If yes, complete Appendix A.*

(b) ___ Is more than 8,800 gallons of hazardous waste stored in containers? 373-1.1(d)(1)(iii)(a) - If yes, complete Appendix A.*

(c) ___ Is more than 20,000 gallons of hazardous waste stored in tanks? 373-1.1(d)(1)(iii)(b) - If yes, complete Appendix A.*

* (Note: Do not complete Appendix A for generators only that have exceeded 90 days or quantity limits.)

2. ___ Hazardous waste is received from off-site and not beneficially used, reused or legitimately recycled or stored. If yes, complete Appendix A.

3. ___ Hazardous waste is treated on-site. If yes, complete appropriate portion of this report.

4. ___ Hazardous waste is disposed of on-site. If yes, complete appropriate portion of this report.

D. Hazardous Waste Generation/Storage

1. Describe the activities that result in the generation of hazardous waste. Include manufacturing processes that generate hazardous waste.

The facility is engaged in the automotive body repair business. Hazardous waste is generated from waste paint/paint thinner (F003/D001/D035) from spray gun cleaning operations of spray guns used to paint automotive body parts.

2. Identify the hazardous wastes that are on-site, the quantity of each, the storage method, the type and size container or tanks used and the location in the storage area. (Be as specific as possible.)

Accumulation Areas:

A single accumulation area holds 55 gal. sig (6) 15-gallon plastic drums of waste paint/paint thinner (F003/D001/D035).

Container Storage Areas for Cat. 1-4 generators*

None

Interim Status/Permitted Storage Areas for containers:

NA

Tank Storage Areas for Cat. 1-4 generators*

NA

Interim Status/Permitted Storage Areas for tanks:

NA

* Cat. 1 and 2 generator - unlimited storage time providing quantity limits not exceeded.
  Cat. 3 generator - 180 days (or 270 if TSD is over 200 miles away).
  Cat. 4 generator - 90 days or less storage time.

Part II

Generator Inspection Section

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

1. Requirements for Exempt and Small Quantity Generator (Category 1-3 Generators)

A. Category 1 - The conditionally exempt generator has:

1. ___ made a hazardous waste determination - 372.1(e)(1)(vii)(a). ___

2. ___ accumulated no more than 100 kg of hazardous waste on-site - 372.1(e)(1)(vii)(b). ___

3. ___ disposed of hazardous waste in an authorized, permitted or licensed on-site or off-site facility - 372.1(e)(1)(vii)(c). ___

4. ___ ensured delivery to an off-site facility by a transporter authorized under Part 364 or by the generator himself - 372.1(e)(1)(vii)(d). ___

B. Category 2 - The generator who generates less than 100 kg/month and stores between 100-1000 kg has complied with the following:

General Requirement - Items 2A-E (pg. II-5)
Manifest & Reporting - Item 4A-P, except for Item G
(pgs. II-10, 11, 12)

1. ___ uses tanks that are properly sheltered and protected to prevent spillage, seepage or any discharge - 372.2(a)(8)(vi)(a). NA

2. X ___ keeps containers and tanks holding hazardous waste closed during storage except to add or remove wastes. Containers and tanks must not be opened, handled or stored in a manner which may rupture the tank or containers or cause them to leak. Tanks and containers must be inspected at least quarterly for leaks or damage - 372.2(a)(8)(vi)(b). ___

3. ___ uses tanks that are designed, constructed or operated in accordance with whichever of the following requirements are in effect in the municipality where the facility is located: 372.2(a)(8)(vi)(c). NA

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Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

(a) ___ the State Uniform Fire Protection and Building Code Title 9 (B) NYCRR, Subchapter C, including the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA-30) - 372.2(a)(8)(vi)(c)(1), or ~~X~~ X

(b) ___ the applicable local building and fire codes - 372.(a)(8)(vi)(c)(2). X

4. ___ the quantity of waste accumulated on-site must never exceed 1,000 kilograms - 372.2(a)(8)(vi)(d). X

C. Category 3 - The generator subject to reduced requirements has complied with the following:

General Requirements - Complete Items 2A-E (pg. II-5)
Manifest & Reporting - Complete Items 4A-P, except for Item G (pgs. II-10, 11, 12)
Accumulation Areas - Complete Item 3A (Pg. II-6) [if applicable]
Container Requirements - Complete Item 3D, questions 2-8 [except for Question 7(a) -(c)] (pg. II-6, 7, 8)
Preparedness & Prevention - Complete Items 6A-F (pgs. II-14, 15)

1. ___ quantity of waste on-site never exceeds 1000 kg and may be stored for up to 180 days unless the disposal facility is 200 miles or more away. Storage up to 270 days then is allowed - 372.2(a)(8)(iii)(a). ___

2. ___ the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container - 372.2(a)(8)(iii)(d): 373-1.1(d)(1)(iii)(c)(2). ___

3. ___ each container is marked with the words "Hazardous Waste" and with other words to identify the contents - 372.2(a)(8)(iii)(d):373-3.9(d)(3) ___

4. ___ at all times there must be at least one employee on-site or on call with the responsibility for coordinating emergency measures - 372.2(a)(8)(iii)(e)(1). ___

5. ___ the name and phone number of the emergency coordinator must be posted next to the telephone - 372.2(a)(8)(iii)(e)(2)(i). ___

6. ___ location of fire extinguishers and spill control material and, if present, fire alarm must be posted next to the telephone - 372.(a)(8)(iii)(e)(2)(ii). ___

7. ___ telephone number of the fire department must be posted next to the phone unless the facility has a direct alarm - 372.2(a)(8)(iii)(e)(2)(iii). ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

8. ___ ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures - 372.2(a)(8)(iii)(e)(3). ___

9. ___ the emergency coordinator or a designee have responded appropriately to any emergencies that have arisen - 372-2(a)(8)(iii)(e)(4). ___

Tank Storage Requirements: 373-3.10(1)
(Complete the following section)

General operating requirements:

10. ___ hazardous wastes or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to fail - 373-3.10(1)(2)(ii). ___

11. ___ uncovered tanks must be operated to ensure at least 60 centimeters (2 feet) of freeboard, unless there is adequate containment - 373-3.10(1)(2)(iii). ___

12. ___ where hazardous waste is continuously fed into a tank, the tank must be equipped with a means to stop this inflow - 373-3.10(1)(2)(iv). ___

13. ___ the owner or operator must mark all tanks with the words "Hazardous Waste" and with other words that identify the contents of the tanks. For underground tanks, the markings must be placed on a sign in the area above the tank - 373-3.10(1)(2)(v). ___

Tank(s) are inspected each operating day for:

14. ___ discharge control equipment (e.g. waste feed cutoff systems, bypass systems and drainage systems) - 373-3.10(1)(3)(i). ___

15. ___ monitoring equipment (e.g. pressure and temperature gauges) - 373-3.10(1)(3)(ii). ___

16. ___ level of waste in tank to ensure proper freeboard - 373-3.10(1)(3)(iii). ___

Tank(s) are inspected weekly for:

17. ___ corrosion or leaking of fixtures or seams - 373-3.10(1)(3)(iv). ___

18. ___ erosion or obvious signs of leakage (e.g. wet spots or dead vegetation) of the construction materials of, and the area immediately surrounding discharge confinement structures (e.g. dikes) - 373-3.10(1)(3)(v). ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

Closure:

19. ___ at closure all hazardous waste must be removed from tanks, discharge control equipment and discharge confinements structures - 373-3.10(1)(4). ___

Special requirements for ignitable or reactive waste:

20. ___ ignitable or reactive waste is placed in a tank and the waste is stored, treated, rendered or mixed before or immediately after placement in the tank so that the resulting wastes, mixture or dissolution of material is no longer ignitable or reactive: 373-3.10(1)(5)(i)(a)(1); and ___

21. ___ the treatment, storage or disposal of ignitable or reactive waste in a tank, is conducted so that it does not: 373-3.10(1)(5)(i)(a)(2) ___

(a) ___ generate extreme heat or pressure, fire or explosions violent reactions - 373-3.2(h)(2)(i). ___

(b) ___ produce uncontrolled toxic mists, fumes dusts or gases in sufficient quantities to threaten human health - 373-3.2(h)(2)(ii). ___

(c) ___ produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion - 373-3.2(h)(2)(iii). ___

(d) ___ damage the structural integrity of the device or facility containing the waste - 373-3.2(h)(2)(iv). ___

(e) ___ through other like means threaten human health or the environment - 373-3.2(h)(2)(v); or ___

22. ___ the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react - 373-3.10(1)(5)(i)(b), or ___

23. ___ the tank is used solely for emergencies - 373-3.10(1)(5)(i)(c). ___

24. ___ storage of ignitable or reactive waste in covered tanks complies with the National Fire Protection Association's (NFPA's) buffer zone requirements for tanks, contained in Tables 2-1 thru 2-6 of the "Flammable and Combustible Liquids Codes." 373-3.10(1)(5)(ii). ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

Incompatible Wastes:

25. ___ Incompatible wastes, or incompatible wastes and materials, must not be placed in the same tank and hazardous waste must not be placed in an unwashed tank which previously held on incompatible waste or material unless the mixture or commingling is conducted to prevent the following: 373-3.10(e)(6) ___

(a) ___ generation of extreme heat or pressure, fire or explosions, or violent reactions; ___

(b) ___ production of uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health; ___

(c) ___ production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions; ___

(d) ___ damage to the structural integrity of the device or facility containing the waste; or ___

(e) ___ through other like means threaten human health or the environment. ___

For Category 4 Generators of Hazardous Waste - complete remainder of Part II.

2. General Requirements

A. ___ The generator has made a determination as to whether or not his solid waste is a hazardous waste - 372.2(a)(2). X

B. ___ The generator has obtained an EPA identification number - 372.2(a)(3). X

C. ___ Before transporting or offering hazardous waste for * transportation off-site the generator has packaged the waste in accordance with the applicable USDOT regulations - 372.(a)(4). NA

D. ___ Before transporting or offering hazardous waste for * transportation off-site the generator has labeled each package of waste in accordance with the applicable USDOT regulations - 372.2(a)(5). NA

E. ___ Before transporting or offering hazardous waste for * transportation off-site the generator has marked each container or package of waste properly - 372.2(a)(6). NA

* Note: This does not apply to drums in storage.

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

3. On-site Accumulation of Hazardous Waste Prior to Shipment

A. ___ Accumulation areas - 372.2(a)(8)(i)(a).

(1) ___ The containers appear to be in good condition and are not in danger of leaking - 373-3.9(b). ___

(2) ___ Hazardous waste is stored in containers made of compatible materials - 373-3.9(c). ___

(3) ___ All containers except those in use are closed - 373-3.9(d)(1). ___

(4) ___ Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the container or cause it to leak - 373-3.9(d)(2). ___

(5) ___ Containers are marked either with the words "Hazardous Waste" and with other words that identify the contents of the containers - 372.2(a)(8)(i)(a)(2). ___

(6) ___ Hazardous waste may be accumulated in excess of 55 gallons or 1 quart of acutely hazardous waste at the point of generation provided that Section 372.2(a)(8)(ii) requirements are met within 3 days, and the container holding the excess accumulation must be marked with the date the excess amount began accumulating - 372.2(a)(8)(i)(b). ___

90 Day Storage Area/Permitted Storage Area (complete as applicable and be specific)

B. ___ All such wastes are shipped off-site to an authorized treatment, storage or disposal (TSD) facility in 90 days or less - 372.2(a)(8)(ii). ___

C. ___ The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container or tank - 372.2(a)(8)(ii):373-1.1(d)(1)(iii)(c)(2), 373-1.1(d)(1)(iv)(d). ___

D. Standards for management of containers - 372.2(a)(8)(ii); 373-3.9 (This section will also be completed for TSD's as referred to from Appendix A.)

1. ___ Each container is marked with the words "Hazardous Waste" and with other words to identify the contents. 373-3.9(d)(3). ___

2. ___ The containers appear to be in good condition and are not in danger of leaking. (If containers are ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

leaking, describe the type, condition, contents and number that are leaking or corroded. Be detailed and specific) - 373-3.9(b).

_____

_____

_____

3. ___ Hazardous waste is stored in containers made of compatible materials - 373-3.9(c). (If not, please explain). ___

_____

_____

_____

4. ___ All containers except those in use are closed - 373-3.9(d)(1). ___

5. ___ Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the container or cause it to leak - 373-3.9(d)(2). ___

6. ___ The storage area is inspected at least weekly - 373-3.9(e). ___

7. The generator complies with the following special requirements related to storage of ignitable or reactive wastes. 373-3.9(f):

   (a) ___ Containers holding ignitable or reactive waste are located at least 15 meters (50 feet) from the facility property line - 373-3.9(f). ___

   (b) ___ Generator has taken precautions to prevent accidental ignition or reaction of ignitable or reactive waste by separating and protecting such waste from sources of ignition or reaction - 373-3.2(h)(1). ___

   (c) ___ Generator has placed "No Smoking" signs conspicuously wherever there is a hazard from ignitable or reactive waste - 373-3.2(h)(1). ___

8. The generator complies with the following special requirements related to incompatible wastes: 373-3.9(g).

   (a) ___ Incompatible wastes, or incompatible wastes and materials, are not placed in the same container,

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

or in an unwashed container that previously held an incompatible waste or material unless the placement is conducted to prevent the following: 373-3.9(g)(1) & (2).

(1) ___ the generation of extreme heat or pressure, fire or explosion, or violent reaction - 373-3.2(h)(2)(i). ___

(2) ___ production of uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(ii). ___

(3) ___ production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(iii). ___

(4) ___ damage to the structural integrity of the device or facility containing the waste - 373-3.2(h)(2)(iv). ___

(5) ___ a threat to human health or the environment - 373-3.2(h)(2)(v). ___

(b) ___ Containers holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device. 373-3.9(g)(3). ___

9. Special requirements for generators of liquid hazardous waste over sole source aquifers: 373-1.1(d)(1)(iv)

(a) ___ the facility submits written notification to the regional office that they qualify for the exemption under 373-1.1(d)(1)(iv) and submits a TSD annual report - 373-1.1(d)(1)(iv)(c). ___

(b) ___ The container storage areas are within a secondary containment system designed and and operated in accordance with the following: 373-1.1(d)(1)(iv)(f). ___

(1) ___ the base under the containers must be free of cracks or gaps and sufficiently impervious to contain collected material until it is removed - 373-2.9(f)(1)(i). ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

(2) ___ the base must be sloped or the containment system otherwise designed and operated to drain and remove liquid unless the containers are elevated or protected from contact with accumulated liquids - 373-2.9(f)(1)(ii). ___

(3) ___ the containment system must have sufficient capacity to contain 10 percent of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids are not considered in this determination - 373-2.9(f)(1)(iii). ___

(4) ___ Run-on is prevented unless the system has sufficient excess capacity over that required in (3) - 373-2.9(f)(1)(iv). ___

(5) ___ Accumulated waste and precipitation must be removed as necessary to prevent overflow 373-2.9(f)(1)(v). ___

E. Standards for management of tanks: 373-3.10

1. ___ Generators complete Appendix O except for Section 373-3.10(h)(3); Items 7C1-5 (pages O-14 to O-15). [In addition, sections 373-3.7 and 3.8 which are cross-referenced do not apply except for section 373-3.7(b) and (e)].

2. ___ Generators over sole-source aquifers complete Appendix O except for Section 373-3.10(h)(3), Items 7C1-5 (pages O-14 to O-15). [Requirements of section 373-3.8 do not apply.]

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

4. Manifest Records and Reporting: 372.2(b)

A. ___ Hazardous waste is shipped off-site with an accompanying manifest. X

If "violation" is checked please elaborate.

B. List the number of shipments per month and the amount of waste per shipment. X

~4 gallons/month, ~ one shipment/2 years, appx
~ 100 gallons/shipment

C. ___ The transporter has a valid Part 364 permit or is otherwise authorized to transport the waste to the designated facility - 372.3(a)(4). X

List transporter and permit number.

Manuel, # NJDEPS10335

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

D. Each manifest (a representative sample) has the following information: 372.2(b)(1); Appendix 30.

		Generator	Transporter 1	Transporter 2	TSDF	
1.	Name of	X	X	NA	X	X
2.	EPA ID No. of	X	X	NA	X	X
3.	Mailing Address of	X	NA	NA	X	X
4.	Telephone No. of	X	X	NA	X	X
5.	Manifest Document #					X
6.	The proper USDOT description.					X
7.	The appropriate: X quantity, X container number, X container type, and X waste type by units of weight or volume.					X
8.	Signed certification that the materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation under regulations of the USDOT and NYSDEC - 372.2(a)(4) and 372.2(a)(5) and 372.2(a)(6).					X
9.	Signed copies of the manifest records have been retained for at least three years - 372.2(c)(1)(i).					X

E. ___ The generator must distribute copies of the manifest as specified on the manifest form - 372.2(b)(3). X

F. ___ The generator has received signed copies (from the TSD facility) of all manifests for wastes shipped off-site more than 20 days ago: X

___ If not, exception reports have been submitted covering these shipments - 372.2(c)(3). NA

G. ___ A generator who ships hazardous waste <u>off-site</u> to a treatment, storage or disposal facility located within the United States must submit Annual Reports on Forms specified by the Commissioner. 372.2(c)(2). X

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

H. For international shipments the generator has done the following: 372.5.

1. ___ EPA and the Department have been notified 60 days prior to shipment of hazardous waste destined for treatment, storage or disposal outside the United States - 372.5(c)(1). NA

2. ___ Delivery of the wastes has been confirmed by the consignee within 90 days of acceptance by initial transporter - 372.5(e)(2). NA

3. ___ Primary exporters of hazardous waste must file with the Administrator and the Department no later than March 1 of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all hazardous waste exported during the previous calendar year - 372.5(f)(1). NA

I. ___ Has complied with interstate shipments - 372.6. X

J. ___ Has complied with shipments by rail or water (bulk) - 372.7. NA

K. ___ A copy of each manifest has been kept for at least three years from the date the waste was accepted by the initial transporter - 372.2(c)(1)(i). X

L. ___ A copy of each Annual Report and Exception Report must be kept for a period of at least three years from the due date of the report - 372.2(c)(1)(ii). NA

M. ___ A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Part 372.2(a)(2) for at least three years - 372.2(c)(1)(iii). X

N. ___ All records required under subdivision 372.2(c) were furnished upon request, or made available at a reasonable time for inspection - 372.2(c)(1)(iv). X

O. ___ There is written communication that the designated treatment, storage or disposal facility is an authorized treatment, storage or disposal facility for the particular wastes being offered for shipment and has capacity to accept the hazardous waste set forth on the manifest and will assure the ultimate disposal method is followed - 372.2(b)(2)(i). X

P. ___ There is written communication that the designated transporter is authorized to deliver the waste to the facility on the manifest - 372.2(b)(2)(ii). X

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

5. Personnel Training - 373-3.2(g)

A. There is a:

1. ___ written description of the job title for each position at the facility related to hazardous waste management and name of the employee filling each job - 373-3.2(g)(4)(i). ___

2. ___ written job description for each position - 373-3.2(g)(4)(ii). ___

3. ___ written description of the type and amount of both introductory and continuing training that will be given to each person related to hazardous waste management - 373-3.2(g)(4)(iii). ___

4. ___ records that document that the training or job experience required has been given to and completed by facility personnel - 373-3.2(g)(4)(iv). ___

B. ___ The training program is directed by a person trained in hazardous waste management procedures and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in whic' they are employed. 373-3.2(g)(1)(i),(ii) and (iii). The components are: ___

1. ___ Procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment; ___

2. ___ Key parameters for automated waste feed cutoff systems; ___

3. ___ Communications or alarm systems; ___

4. ___ Response to fires and explosions; ___

5. ___ Response to groundwater contamination incidents; and ___

6. ___ Shutdown of operations. ___

C. ___ Facility personnel have successfully completed the program by the effective date of these regulations or six months after the date of their employment. 373-3.2(g)(2). ___

D. ___ Facility personnel have taken part in an annual review of the initial training required - 373-3.2(g)(3). ___

Indicate:		Indicate:
X	Violations	X Satisfactory NA Not Applicable

E. ___ Training records on current personnel have been kept permanently at the facility (until closure) - 373-3.2(g)(5). ___

F. ___ Training records on former employees have been kept for at least three years from the date the employee last worked at the facility - 373-3.2(g)(5). ___

6. Preparedness and Prevention - 373-3.3

A. ___ The facility is maintained and operated to minimize the possibility of a fire or explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water - 373-3.3(b). ___

B. ___ The facility must be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below: 373-3.3(c) ___

1. ___ An internal communication or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel; ___

2. ___ A device, such as a telephone (immediately available at the scene of operations) or a hand-held, two-way radio capable of summoning emergency assistance from local police departments, fire teams; ___

3. ___ Portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment; ___

4. ___ Water at adequate volume and pressure to supply water hose streams, or foam-producing equipment, or automatic sprinklers, or water spray systems. ___

C. ___ Facility communications or alarm systems, fire protection equipment, and spill control equipment are tested and maintained as necessary to assure their proper operation in time of emergency - 373-3.3(d). ___

D. ___ Personnel involved in hazardous waste operations have immediate access to an internal alarm or emergency communication device - 373-3.3(e). ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

E. ___ The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless aisle space is not needed for any of these purposes - 373-3.3(f). ___

F. The facility owner or operator has made an attempt in good faith to make the following arrangements with local authorities, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations - 373-3.3(g)(1):

1. ___ Arrangements to familiarize police, fire departments and emergency response teams with the functions and layout of the facility; ___

2. ___ Where more than one police and fire department might respond to an emergency, an agreement designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to primary emergency authority; ___

3. ___ Agreements with government emergency response teams, emergency response contractors, and equipment suppliers; ___

4. ___ Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illness which could result from fires, explosions or releases at the facility; and ___

5. ___ Where state or local authorities decline to enter into such arrangements, the owner or operator has documented the refusal in the operating record. ___

7. Contingency Plan and Emergency Procedures - 373-3.4

A. ___ The facility has a contingency plan or some other emergency plan which incorporates hazardous waste management. ___

B. The following are included in the contingency plan - 373-3.4(c):

1. ___ A description of actions facility personnel must take in response to fires, explosions or any unplanned sudden or non-sudden releases of hazardous waste or hazardous waste constituents to air, soil or surface water; ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

2. ___ A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services; ___

3. ___ Names, addresses and phone numbers of all persons qualified to act as emergency coordinator; ___

4. ___ A list of all emergency equipment at the facility, and decontamination equipment, where this equipment is required; ___

5. ___ The location and the physical description of each item on the list, and a brief outline of its capabilities; ___

6. ___ An evacuation plan for facility personnel, where there is a possibility that evacuation could be necessary. ___

C. ___ Copies of the contingency plan are maintained at the facility. 373-3.4(d)(1). ___

D. ___ Copies of the contingency plan have been submitted to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services. 373-3.4(d)(2). ___

E. ___ The contingency plan has been amended, as necessary, when applicable regulations were revised, the plan failed in an emergency, the facility changes or the list of emergency coordinators or equipment changes - 373-3.4(e). ___

F. ___ There was at least one employee either on the facility premises or on call with the responsibility for coordinating all emergency response measures - 373-3.4(f). ___

G. ___ During a past emergency situation the emergency coordinator (or his designee when the emergency coordinator is not on call) immediately activated emergency procedures - 373-3.4(g).* ___

*Do not go back further than the previous inspection date.

The following was done:

1. ___ Activated internal facility alarms or communication systems; ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

2. ___ Notified appropriate state or local agencies; ___

3. ___ Immediately identified the character, exact source, amount and areal extent of any released materials; ___

4. ___ The emergency coordinator assessed possible hazards to human health and the environment; ___

5. ___ The emergency coordinator, after determining that that facility had a release, fire or explosion which could threaten human health or the environment outside the facility, reported his findings; ___

6. ___ During the emergency, the emergency coordinator took all reasonable measures necessary to ensure that fire, explosions and releases do not occur, recur or spread to other hazardous waste; ___

7. ___ The emergency coordinator monitored for leaks, pressure buildup, gas generation or ruptures in valves, pipes or other equipment, where appropriate during the facility's response to the emergency; ___

8. ___ The emergency coordinator provided for treating, storing or disposing of recovered waste, contaminated soil or surface water, or any other material that resulted from a release, fire or explosion at the facility; ___

9. ___ The emergency coordinator ensured that in the affected area no waste that may be incompatible with the released material was treated, stored or disposed of until cleanup procedures were completed; ___

10. ___ The emergency coordinator ensured that all emergency equipment listed in the contingency plan was cleaned and fitted for its intended use before operations were resumed; ___

11. ___ The owner or operator notified the Commissioner that the facility is in compliance with Part 373-3.4(g)(8) before operations were resumed in the affected areas of the facility; ___

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

12. ___ The owner or operator noted in the operating record the time, date and details of the incident that required implementation of the contingency plan; ___

13. ___ The owner or operator submitted a complete written report on the incident within 15 days after the incident occurred. ___

HANDLER NAME JPG Auto Body Inc

EPA ID# NY D 9 8 1 1 3 4 6 8 7

APPENDIX R
LAND DISPOSAL RESTRICTIONS CHECKLIST

I. Applicability[5]

A. Unless otherwise specified, the following requirements apply to all persons who generate, transport, treat, store or dispose of hazardous waste (except conditionally exempt generators of less than 100 kg of non-acute or 1 kg of acute hazardous waste per calendar month).

B. The hazardous wastes restricted from land disposal are:

1. The hazardous wastes listed or identified in Part 371 or 376.

2. The wastes identified as hazardous based on characteristic alone (D001-D017).

II. Waste Identification[5]

A. **Determine which of the following prohibited* LDR waste categories the facility manages:**

	Generate	Transport	Treat	Store	Dispose
F001-F005 Solvents	X				
F020-F023 and F026-F028 Dioxins					
Wastes found in 376.3(b)(1)**					
Wastes found in 376.3(c)***	X				

* These wastes are prohibited from land disposal unless the wastes meet or have been treated to meet the treatment standards of 376.4, have been granted an exemption by petition, have been granted an extension, or have been treated to meet alternative treatment standards.

** Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm, hazardous wastes containing HOCs in concentrations greater than or equal to 1,000 ppm, that are identified as hazardous by a property that does not involve HOCs, and liquid wastes that are hazardous and also contain over 134 mg/l nickel and/or 130 mg/l of thallium.

*** Formerly the First, Second and Third Thirds

NOTE: Superscript numbers indicate general applicability of sections.

1. Generator 2. Treatment Facility 3. Storage Facility
4. Land Disposal Facility 5. All

B. Waste Specific Prohibitions*. (Formerly National Capacity Variances)

* Case-by-case extentions may be granted to individual facilities for these wastes after expiration of capacity variances.

Does the facility handle the following wastes?	YES	NO
1. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. (expires-05/08/92) - 376.3(c)(4).	___	X
2. The following nonwastewaters-F039,K031,K084,K101,K102, K106,P010,P011,P012,P036,P038,P065,P087,P092,U136,U151. (expires-05/08/92) - 376.3(c)(2).	___	X
3. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires 05/08/92) - 376.3(c)(2).	___	X
4. Inorganic solid debris*; includes chromium refractory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires-05/08/92) - 376.3(c)(2).	___	X

* Inorganic Solid Debris means nonfriable inorganic solids contaminated with D004-D011 hazardous wastes that are incapable of passing through a 9.5 mm standard sieve; and that require cutting, or crushing and grinding in mechanical sizing equipment prior to stabilization, and are limited to metal slags (either dross or scoria); glassified slag; glass; concrete; masonry and refractory bricks; metal cans, containers, drums or tanks; metal nuts, bolts, pipes, pumps, valves, appliances or industrial equipment; and scrap metal as defined in 370.2(c).

5. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires-05/08/92) - 376.3(c)(2).	___	X
6. Wastes that are mixed radioactive/hazardous wastes, and soil or debris contaminated with mixed radioactive/hazardous wastes (expires-05/08/92) - 376.3(c)(3).	___	X

If yes to any of 1 through 6 above, identify the waste(s).

NA

III. Prohibitions, Exemptions, Extensions[5]

A. **Dilution Prohibited as a Substitute for Treatment.**

	YES	NO
1. Does the generator, transporter, handler, or owner or operator of a treatment, storage or disposal facility dilute characteristic hazardous wastes (in a treatment system which treats wastes subsequently discharged to NYS waters) pursuant to a SPDES permit or for purposes of pretreatment under the Clean Water Act? - 376.1(c)(2). (Complete Appendix A or Q, as applicable)	___	X
2. Other than as described in 1. above, has the generator, transporter, handler, or owner or operator of a treatment, storage or disposal facility in any way diluted a restricted waste or the residual from treatment of a restricted waste: - 376.1(c)(1).	___	X
a. As a substitute for adequate treatment to achieve compliance with section 376.4.	___	NA
b. To otherwise avoid a prohibition in section 376.3.	___	NA
c. To circumvent a land disposal prohibition imposed by Article 27.	___	NA

If yes to a, b, or c above, identify the waste and provide a brief description of the dilution process.

NA

B. **Surface Impoundment Treatment.**[2]

	YES	NO
Does the owner or operator treat* wastes which are prohibited from land disposal in a surface impoundment or series of surface impoundments? - 376.1(d)(1).	___	___

If no, go to C.

* The evaporation of hazardous constituents as the principal means of treatment in surface impoundment is not considered to be treatment for the purposes of this exemption.

Describe the waste(s) treated.

X Violations

X Satisfactory
NA Not Applicable

1. ___ Treatment of the prohibited wastes occurs in the impoundments - 376.1(d)(1)(i). ___

2. ___ The following conditions have been met: 376.1(d)(1)(ii). ___

   a. ___ The residues from treatment are analyzed to determine if they meet the applicable treatment standards or prohibition levels - 376.1(d)(1)(ii)(a). ___

   b. ___ The sampling method, specified in the waste analysis plan, is designed so that representative samples of the sludge and supernatant are tested separately - 376.1(d)(1)(ii)(a). ___

   c. ___ The following treatment residues (including any liquid) are removed at least annually * - 376.1(d)(1)(ii)(b). ___

      (1) ___ Residues which do not meet the treatment standards promulgated under 376.4. ___

      (2) ___ Residues which meet or exceed the prohibition levels established under 376.3 or imposed by statute. ___

      (3) ___ Residues which are from the treatment of wastes prohibited from land disposal under 376.3. ___

      (4) ___ Residues from managing listed wastes which are not delisted under 370.3(c). ___

* If the volume of liquid flowing through the impoundment or series of impoundments annually is greater than the volume of the impoundment or impoundments, this flow through constitutes removal of the supernatant.

   d. ___ Treatment residues have not been placed in any other surface impoundment for subsequent management after original placement - 376.1(d)(1)(ii)(c). ___

   e. ___ The procedures and schedule for the sampling of impoundment contents, the analysis of test data, and the annual removal of land disposal restricted residues has been specified in the facility's waste analysis plan - 376.1(d)(1)(ii)(d). ___

X Violation

X Satisfactory
NA Not Applicable

3. ___ Unless exempted or granted a waiver, the impoundment meets the design requirements of 373-2.11(b)(3), 373-3.11(i)(1) and is in compliance with applicable ground water monitoring requirements - 376.1(d)(1)(iii). ___

4. ___ The owner or operator has sent a written certification and a copy of the waste analysis plan to the Commissioner - 376.1(d)(1)(iv). ___

C. **Case-by-Case Extensions.**[5]

	YES	NO
Does the facility handle any wastes subject to a case-by-case extension to an effective date? - 376.1(e).	___	X

If no, go to D.

Identify the waste(s) subject to extension.

_____

_____

X Violations

X Satisfactory
NA Not Applicable

1. ___ The facility* has submitted an application containing the required demonstration to the Commissioner for an extension of the effective date established under section 376.3 - 376.1(e)(1). ___

2. ___ The application is signed by an authorized representative and contains the required certification - 376.1(e)(2). ___

3. ___ Pending a decision on the application for an extension, the applicant has complied with all restrictions on land disposal once the effective date for the waste has been reached - 376.1(e)(9). ___

4. ___ The person granted** the extension has immediately notified the Commissioner as soon as he has any knowledge of any change in the conditions certified to in the application - 376.1(e)(6). ___

5. ___ The person granted** the extension has submitted progress reports at the intervals designated by the Commissioner - 376.1(e)(7). ___

* In this case, facility refers to any person who generates, treats, or disposes of a hazardous waste.

** During the period for which an extension established by the Commissioner is in effect, the storage prohibitions in 376.5 do not apply.

X Violation

X Satisfactory
NA Not Applicable

6. ___ The progress reports must: - 376.1(e)(7) ___

a. ___ Describe the overall progress made toward constructing or otherwise providing alternative treatment, recovery, or disposal capacity, ___

b. ___ Identify any event which may cause or has caused a delay in the development of the capacity, and ___

c. ___ Summarize the steps taken to mitigate the delay. ___

7. ___ Hazardous waste has been disposed of in an interim status landfill which is in compliance with the technical requirements of 373-3.6 and 373-3.14(j)(1), (3) and (4) - 376.1(e)(8)(ii)(a).* ___

8. ___ Hazardous waste has been disposed of in a permitted landfill which is in compliance with the technical requirements of 373-2.6 and 373-2.14(c)(3), (4), and (5) - 376.1(e)(8)(ii)(b).* ___

9. ___ Hazardous waste has been disposed of in an interim status surface impoundment which is in compliance with the technical requirements of 373-3.6 and 373-3.11(i)(1), (3) and (4) - 376.1(e)(8)(ii)(c).* ___

10. ___ Hazardous waste has been disposed of in a permitted surface impoundment which is in compliance with the technical requirements of 373-2.6 and 373-2.11(b)(3), (4), and (5) - 376.1(e)(8)(ii)(d).* ___

11. ___ Containerized liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm have been disposed of in a landfill which is also in compliance with the technical requirements of 40 CFR 761.75 (TOSCA), 371.4(e), 373-2, and 373-3 - 376.1(e)(8)(ii)(e).* ___

* These requirements apply only when the Commissioner establishes an extension to an effective date under subdivision, and only during the period for which such extension is in effect. In addition the storage restrictions under 376.5 do not apply.

D. **Petitions to Allow Land Disposal.**[4]	YES	NO
Has the owner or operator applied for or been granted an exemption from a prohibition of the land disposal of a	___	X

restricted hazardous waste in a particular unit(s) by the Commissioner? - 376.1(f).

If no, go to IV.

Identify the wastes subject to exemption.

_____

_____

1. ___ The facility has submitted a petition for an exemption from a prohibition of the land disposal of a restricted hazardous waste in a particular unit to the Commissioner demonstrating that there will be no migration of hazardous constituents from the disposal unit for as long as the wastes remain hazardous - 376.1(f)(1). ___

2. ___ The petition includes the following: -376.1(f)(3) ___

   a. ___ A monitoring plan that describes the monitoring program installed at and/or around the unit to verify continued compliance with the conditions of the exemption and provides information on the monitoring of the unit and/or the environment around the unit - 376.1(f)(3)(i). ___

   b. ___ The following specific information is included in the plan - 376.1(f)(3)(i). ___

      (1) ___ The media monitored in the cases where monitoring of the environment around the unit is required - 376.1(f)(3)(i)(a). ___

      (2) ___ The type of monitoring conducted at the in the cases where monitoring of the unit is required - 376.1(f)(3)(i)(b). ___

      (3) ___ The location of the monitoring stations - 376.1(f)(3)(i)(c). ___

      (4) ___ The monitoring interval (frequency of monitoring at each station) - 376.1(f)(3)(i)(d). ___

      (5) ___ The specific hazardous constituents to be monitored - 376.1(f)(3)(i)(e). ___

      (6) ___ The implementation schedule for the monitoring program - 376.1(f)(3)(i)(f). ___

      (7) ___ The equipment used at the monitoring stations - 376.1(f)(3)(i)(g). ___

(8) ___ The sampling and analytical techniques - 376.1(f)(3)(i)(h). ___

(9) ___ The data recording/reporting procedures techniques - 376.1(f)(3)(i)(h). ___

c. ___ The monitoring data collected according to the monitoring plan has been sent to the Commissioner according to the format and schedule specified and approved in the monitoring plan - 376.1(f)(3)(iii). ___

d. ___ A copy of the monitoring data collected under the monitoring plan is kept on-site in the operating record at the facility - 376.1(f)(3)(iv). ___

e. ___ The monitoring program, specified in 2a & b above, meets the following criteria: - 376.1(f)(3)(v). ___

(1) ___ All sampling, testing, and analytical data must be approved by the Commissioner and must provide data that is accurate and reproducible - 376.1(f)(3)(v)(a). ___

(2) ___ All estimation and monitoring techniques must be approved by the Commissioner, and - 376.1(f)(3)(v)(b). ___

(3) ___ A quality assurance and quality control plan must be provided to and approved by the Commissioner - 376.1(f)(3)(v)(c). ___

3. ___ The petition has been submitted to the Commissioner - 376.1(f)(4). ___

4. ___ After the petition has been approved, the owner or operator has reported any changes in conditions at the unit and/or the environment around the unit that significantly depart from the conditions described in the exemption and affect the potential for migration of hazardous conditions from the unit -376.1(f)(5). ___

5. ___ If the owner or operator determines that there is migration of hazardous constituent(s) from the unit, he has done the following: -376.1(f)(6). ___

a. ___ Immediately suspended receipt of prohibited waste at the unit, and - 376.1(f)(6)(i). ___

b. ___ Notified the Commissioner, in writing, within 10 days of the determination that a release occurred - 376.1(f)(6)(ii). ___

6. ___ The petition contains the required certification - 376.1(f)(7). ___

7. ___ Prior to the Commissioner's decision on the petition for an exemption, the applicant has complied with all restrictions on land disposal once the effective date for the waste has been reached - 376.1(f)(12). ___

IV. Waste Analysis and Recordkeeping - 376.1(g)[5]

A. **Determination of Wastes Restricted from Land Disposal.**

1. ___ Other than the wastes listed in 376.3(b)* or 376.4(d)**, the generator has determined if his F, K, P, U, or B listed wastes are restricted from land disposal - 376.1(g)(1). X

The determination is based on:

a. ___ Testing of the wastes or extracts of the wastes using the test method described in Appendix 35 (TCLP), or NA

b. ___ Using knowledge of the wastes X

2. ___ Other than the wastes listed in 376.3(b)*, the generator has determined if his wastes exhibiting one or more characteristics (D001-D017) are restricted from land disposal - 376.1(g)(1). X

The determination is based on:

a. ___ Testing of extracts using the test method described in Appendix 20 (EP-tox), or NA

b. ___ Using knowledge of the wastes. X

* Refer to ** on first page.

** Formerly the First, Second and Third Thirds

B. **Restricted Wastes not Meeting Treatment Standards.**[5]

___ For restricted wastes that do not meet the applicable treatment standards set forth in 376.4 or that exceed the prohibition levels in 376.3(b), the generator has notified the treatment or storage facility in writing. The notice must contain the following information: - 376.1(g)(1)(i). X

1. ___ EPA Hazardous Waste Number - 376.1(g)(1)(i)(a). X

2. ___ For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(i)(b). X

X Violation

X Satisfactory
NA Not Applicable

3. ___ For all other restricted wastes not included in 2. above: X

a. ___ The treatment standard, or X

b. ___ A reference on the notification, including: X

(1) ___ The applicable wastewater or nonwastewater category. X MS

(2) ___ The applicable waste specific criteria within a waste code. ~~X~~ MS NA

(3) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. X

4. ___ For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(i)(b). X

5. ___ The manifest number of the shipment - 376.1(g)(i)(c). X

6. ___ Waste analysis data - 376.1(g)(1)(i)(d). X

C. **Restricted Wastes Meeting Treatment Standards.**[5]

___ For restricted wastes that can be land disposed of without further treatment, the generator has submitted a notice and a certification to the treatment, storage, or disposal facility stating that the waste meets the applicable treatment standards and prohibition levels - 376.1(g)(1)(ii). NA

1. ___ The notice includes the following information: NA

a. ___ EPA Hazardous Waste Number - 376.1(g)(1)(ii)(a)(1). NA

b. ___ For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(ii)(a)(2). NA

c. ___ For all other restricted wastes not included in b. above: - 376.1(g)(1)(ii)(a)(2). NA

(1) ___ The treatment standard, or NA

(2) ___ A reference, including: NA

(a) ___ The applicable wastewater or nonwastewater category. NA

(b) ___ The applicable waste specific criteria within a waste code. NA

(c) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. NA

d. ___ For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(ii)(a)(2). NA

e. ___ The manifest number for the shipment - 376.1(g)(1)(ii)(a)(3). NA

f. ___ Waste analysis data - 376.1(g)(1)(ii)(a)(4). NA

2. ___ The certification is signed by an authorized representative and makes the required statement - 376.1(g)(1)(ii)(b). NA

D. **Wastes Exempted from Land Disposal Prohibitions.**[5]

1. ___ For wastes exempted from land disposal prohibitions such as case-by-case extensions, exemptions under 376.1(f), or nationwide capacity variances, with each shipment the generator has submitted a notice to the facility receiving the waste stating that the waste is not prohibited from land disposal - 376.1(g)(1)(iii). NA

2. ___ The notice includes the following information. NA

a. ___ EPA Hazardous Waste number - 376.1(g)(1)(iii)(a). NA

b. ___ For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(iii)(b). NA

c. ___ For all other restricted wastes not included in b. above: - 376.1(g)(1)(iii)(b). NA

(1) ___ The treatment standard, or NA

(2) ___ A reference, including: NA

(a) ___ The applicable wastewater or nonwastewater category. NA

(b) ___ The applicable waste specific criteria within a waste code. NA

(c) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. NA

d. ___ For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(iii)(b). NA

e. ___ The manifest number of the shipment - 376.1(g)(1)(iii)(c). NA

f. ___ Waste analysis date - 376.1(g)(1)(iii)(d). NA

g. ___ The date the waste is subject to the prohibitions - 376.1(g)(1)(iii)(e). NA

E. **Treatment of Prohibited Wastes in Containers or Tanks.**[1]

___ For generators managing a prohibited waste in tanks or containers regulated under Part 373-1 and treating that waste in those tanks or containers to meet applicable treatment standards the generator has: NA

1. ___ Developed and followed written waste analysis plan which describes the procedures the generator will carry out to comply with the treatment standards - 376.1(g)(1)(iv). NA

2. ___ Kept the plan on-site in the generator's records - 376.1(g)(1)(iv). NA

3. ___ The following requirements have been met: NA

a. ___ The waste analysis plan has been based on a detailed chemical and physical analysis of a representative sample of the prohibited waste(s) being treated, and contains all information necessary to treat the waste(s), including the selected testing frequency - 376.1(g)(1)(iv)(a). NA

b. ___ The plan has been filed with the Commissioner to implement Part 376 requirements a minimum of 30 days prior to the treatment activity with delivery verified - 376.1(g)(1)(iv)(b). NA

c. ___ Wastes shipped off-site have complied with the notification requirements for restricted wastes meeting treatment standards - 376.1(g)(1)(iv)(c). [Complete Item IV.C.] NA

F. **Recordkeeping.**[5]

1. ___ If a generator has determined whether a waste is restricted based solely on knowledge of the waste, all supporting data used to make this determination has X

been retained on-site in the generator's files - 376.1(g)(1)(v).

2. ___ If a generator has determined whether a waste is restricted based on testing of the waste or an extract developed using the test method described in Appendix 35 (TCLP), all waste analysis data has been retained on-site in the generator's files - 376.1(g)(1)(v). NA

3. ___ If a generator has determined that he is managing a restricted waste that is excluded from the definition of hazardous or solid waste, or exempt from regulation, under 371, subsequent to the point of generation, the generator has placed in the facility's file a one-time notice stating: - 376.1(g)(1)(vi). NA

   a. ___ That the waste is generated, NA

   b. ___ That the waste is excluded from the definition of hazardous or solid waste or exempted from regulation, and NA

   c. ___ The disposition of the waste. NA

4. ___ Generators must retain on-site a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation for at least five years from the date that the wastes were last sent to on-site or off-site treatment, storage, or disposal. (This requirement applies to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste, or exempted from regulation, subsequent to the point of generation - 376.1(g)(1)(vii). X

G. Alternate Treatment Standards for Lab Packs.[5]

1. ___ For generators managing lab packs containing wastes identified in Appendix 38 (organometallics), who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(viii).

   a. ___ Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item IV.E.] NA

   b. ___ Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items IV.F.1-3.] NA

   c. ___ Submitted the certification provided in 376.1(g)(1)(viii), signed by an authorized representative. NA

2. ___ For generators managing lab packs containing organic wastes specified in Appendix 39, who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(ix). NA

a. ___ Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item IV.B.] NA

b. ___ Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items IV.F.1-3.]

c. ___ Submitted the certification provided in 376.1(g)(1)(ix), signed by an authorized representative. NA

H. **Small Quantity Generators with Tolling Agreements.**

___ For generators of less than 1,000 kg per calendar month and who do not store 1,000 kg or more at any time: NA

1. ___ The waste is reclaimed under a contractual agreement - 372.2(b)(7)(i). NA

2. ___ For the initial shipment of such wastes, the generator has complied with the notification and certification requirements that apply for the wastes subject to the tolling agreement - 376.1(g)(1)(x). [Complete Items IV.B-D.] NA

3. ___ Small quantity generators must retain on-site a copy of each notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement - 376.1(g)(1)(x). NA

I. **Treatment Facility Requirements.**[2]

1. ___ The treatment facility has tested its waste in accordance with the frequency determined by the Commissioner and based on the criteria included in 373-2.2(e) or 373-3.2(d) - 376.1(g)(2). [Complete Appendix A, Items 2. A-G.] ___

2. ___ The treatment facility has specified the frequency of testing in its waste analysis plan - 376.1(g)(2). ___

3. ___ The treatment facility has performed the testing as follows: ___

a. ___ For wastes with treatment standards expressed as concentrations in the waste extract (376.4(b)), the owner or operator has tested the treatment residues, or an extract of such residues developed ___

using the test method described in Appendix 35 (TCLP), to assure that they meet the applicable treatment standards - 376.1(g)(2)(i).

b. ___ For wastes that are prohibited (376.3(b)), but not subject to any treatment standards, the owner or operator has tested the treatment residues according to generator testing requirements specified in 376.3(b), to assure that the treatment residues comply with the applicable prohibitions - 376.1(g)(2)(ii). ___

c. ___ For wastes with treatment standards expressed as concentration in the waste (376.4(d)), the owner or operator has tested the treatment residues (not an extract) to assure that the treatment residues meet the applicable treatment standards - 376.1(g)(2)(iii). ___

d. ___ The treatment facility has sent a notice with each waste shipment to the land disposal facility - 376.1(g)(2)(iv). ___

e. ___ The notice contains the following information: - 376.1(g)(2)(iv). ___

(1) ___ EPA Hazardous Waste Number - 376.1(g)(2)(iv)(a). ___

(2) ___ For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(2)(iv)(b). ___

(3) ___ For all other restricted wastes not included in (2) above: ___

(a) ___ The treatment standard, or ___

(b) ___ A reference on the notification, including: ___

(i) ___ The applicable wastewater or nonwastewater category. ___

(ii) ___ The applicable waste specific criteria within a waste code. ___

(iii) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. ___

(4) ___ For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(2)(iv)(b). ___

(5) ___ The manifest number of the shipment - 376.1(g)(2)(iv)(c). ___

(6) ___ Waste analysis data - 376.1(g)(2)(iv)(d). ___

f. ___ The treatment facility has submitted a certification signed by an authorized representative, with each shipment of waste or treatment residue to the land disposal facility, stating that the waste or treatment residue has been treated in compliance with the applicable performance standards (376.4) and the applicable prohibitions (376.3(b) - 376.1(g)(2)(v)). ___

(1) ___ For wastes with treatment standards expressed as concentrations in the waste extract or in the waste (376.4(b) or 376.4(d)), or for wastes prohibited under 376.3(b), which are not subject to any treatment standards under 376.4, the certification contains the statement required in 376.1(g)(2)(v)(a). ___

(2) ___ For wastes with treatment standards expressed as technologies (376.4(c)), the certification contains the statement required in 376.1(g)(2)(v)(b). ___

(3) ___ For wastes with treatment standards expressed as concentrations in the waste (376.4(d)), if compliance with treatment standards is based on non-detectability of organic constituents referred to in 376.4(d)(3), the certification also contains the statement required in 376.1(g)(2)(v)(c). ___

J. **Restricted Wastes Shipped from Treatment or Storage Facilities to[2,3] Treatment, Storage, or Disposal Facilities.**

___ If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage or disposal facility sending the waste or treatment residue off-site has complied with the notice and certification requirements that apply to generators - 376.1(g)(2)(vi). [Complete Items IV.B-D.] ___

X Violation

X Satisfactory
NA Not Applicable

K. **Recyclable Materials Used in a Manner Constituting Disposal - 376.1.(g)(2)(vii).**[2]

1. ___ With each shipment, where the wastes are recyclable materials used in a manner constituting disposal [374.3(a)(2)], the owner or operator of the recycling facility has submitted a certification and a notice to the Commissioner* - 376.1(g)(2)(vii). [Complete Items IV.I.e.(1) - (4) and (6), and Items IV.I.f. (1) - (3).]

* The owner or operator of the treatment facility (i.e., the recycler) is <u>not</u> required to notify the <u>receiving</u> facility.

2. ___ The owner or operator of the treatment facility (i.e., the recycler) has kept records of the name and location of each entity receiving the hazardous waste-derived product - 376.1(g)(2)(vii).

L. **Requirements for Land Disposal Facilities.**[4]

___ Except for the disposal of any waste that is a recyclable material used in a manner constituting disposal (374.3(a)(2)), the owner or operator of any land disposal facility disposing of any restricted wastes has: - 376.1(g)(3). ___

1. ___ Tested the waste, or an extract of the waste or treatment residue developed using the test method described in Appendix 35 (TCLP), or using any methods required by generators under 376.3(b), to assure that applicable treatment standards (376.4) and all applicable prohibitions (376.3(b)) are complied with. ___

2. ___ Specified the frequency of testing in its waste analysis plan. ___

3. ___ Tested its waste in accordance with the frequency determined by the Commissioner and based on the criteria included in 373-2.2(e) or 373-3.2(d). [Complete Appendix A, Items 2. A-G.] ___

4. ___ Copies of the required notices and certifications. ___

V. <u>Special Rules Regarding Wastes that Exhibit a Characteristic</u>[1**]

A. ___ The initial generator has identified each waste with all applicable waste codes provided in 371.4 (listed wastes) and 371.3 (characteristic wastes) - 376.1(h)(1). X

B. ___ For each hazardous waste, the initial generator has provided notification of all the treatment standards for any applicable listed and characteristic waste codes - 376.1(h)(2). X

C. ___ Prior to land disposal, all prohibited wastes which exhibit X

a characteristic have been treated to the treatment standards provided in 376.4 - 376.1(h)(3).

D. ___ For characteristic hazardous wastes that have been treated and are no longer hazardous, the initial generator or treatment facility has shipped the wastes to a Part 360 facility and sent the notification and certification to the Commissioner* - 376.1(h)(4). NA

* Notification is not required to be sent to the Part 360 facility.

1** This section would also apply to any TSD that is the initial generator of the waste.

1. ___ The notification includes the following information: - 376.1(h)(4)(i). NA

a. ___ The name and address of the Part 360 facility receiving the waste - 376.1(h)(4)(i)(a). NA

b. ___ A description of the waste as initially generated, including the applicable EPA Hazardous Waste Number(s), the applicable wastewater or nonwastewater category, and the subdivisions made within each waste code based on waste-specific criteria - 376.1(h)(4)(i)(b). NA

c. ___ The treatment standards applicable to the waste at the initial point of generation - 376.1(h)(4)(i)(c). NA

2. ___ The certification is signed by an authorized representative and includes the language found in 376.1(g)(2)(v)(a) - 376.1(h)(4)(ii). NA

VI. Prohibitions on Land Disposal[5]

A. Solvent/Dioxin Wastes.[5]

___ Unless the wastes meet the treatment standards of 376.4, persons have been granted an exemption from a prohibition pursuant to a petition, or persons have been granted an extension to the effective date of a prohibition, solvent wastes Nos. F001-F005 and dioxin wastes Nos. F020-F023 and F026-F028 (including contaminated soil and debris) are prohibited from land disposal - 376.3(a)(1). NA

B. Prohibited Wastes Found in 376.3(b)(1).[5]

1. ___ The following wastes are prohibited from land disposal unless they comply with any of the conditions in 2. below: - 376.3(b)(1). NA

a. ___ Liquid hazardous wastes containing PCB's at concentrations of equal to or greater than 50 ppm - 376.3(b)(1)(i). NA

b. ___ Hazardous wastes containing halogenated organic compounds (HOCs) in concentrations greater than or equal to 1,000 ppm, that are identified as hazardous by a property that does not involve HOCs - 376.3(b)(1)(ii). NA

c. ___ Liquid hazardous wastes that contain over 134 mg/l nickel and/or 130 mg/l of thallium - 376.3(b)(1)(iii). NA

2. ___ These wastes may be land disposed provided that: 376.3(b)(2). NA

a. ___ Persons have been granted an exemption from a prohibitions, or - 376.3(b)(2)(i). NA

b. ___ Persons have been granted an extension to the effective date of a prohibition, or - 376.3(b)(2)(ii). NA

c. ___ They meet the applicable treatment standards, or are in compliance with all prohibitions set forth in Part 376 or RCRA section 3004(d) - 376.3(b)(2)(iii). NA

3. ___ The wastes found in 1. above have been subjected to the Paint Filter Liquids Test to determine if they are liquids - 376.3(b)(3). NA

4. ___ The initial generator of a liquid hazardous waste containing PCBs or a liquid or nonliquid hazardous waste containing HOCs has tested the waste (not an extract or filtrate) or used knowledge of the waste to determine if the waste equals or exceeds the specified prohibition levels (50 ppm for PCBs, 1,000 ppm for HOCs) - 376.3(b)(4). NA

C. Prohibited Wastes Found in 376.3(c) [First, Second, and Third Third[5] Wastes].

1. ___ The following wastes are prohibited from land disposal unless they meet any of the conditions of 2. below: - 376.3(c). X

a. ___ All hazardous wastes listed or identified in Parts 376 or 371 which have a disposal prohibition or treatment standard - 376.3(c)(1). X

b. ___ Effective 5/8/92, the hazardous wastes identified in Part 376.3(c)(2). NA

c. ___ Effective 5/8/92, hazardous wastes that are mixed radioactive/hazardous wastes, and soil or debris contaminated with these wastes - 376.3(c)(3). NA

d. ___ Effective 5/8/92, hazardous wastes having a treatment standard based on incineration, mercury retorting, and vitrification, acid leaching followed by chemical precipitation, or thermal recovery of metals, and which are contaminated soil or debris - 376.3(c)(4). NA

2. ___ The wastes in 1. above may be land disposed provided that: 376.3(c)(6). X

a. ___ The wastes meet the applicable treatment standards, or - 376.3(c)(6)i). X

b. ___ Persons have been granted an exemption from a prohibition, or - 376.3(c)(6)(ii). NA

c. ___ The wastes meet the applicable alternative standards established granted pursuant to a petition, or - 376.3(c)(6)(iii). NA

d. ___ Persons have been granted an extension to the effective date of a prohibition - 376.3(c)(6)(iv). NA

3. ___ The initial generator has tested a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or used knowledge of the waste to determine if it exceeds the applicable treatment standards - 376.3(c)(7). X

VII. Treatment Standards[5]

A. Applicability of Treatment Standards.[5]

1. ___ A restricted waste identified in 376.4(b) (Table CCWE] has been land disposed only when an extract of the waste or the treatment residue does not exceed the value shown in Table CCWE for any hazardous constituent as determined by TCLP, with the following exceptions: D004, D008, K031, K084, K101, K102, P010, P011, P012, P036, P038 and U136 - 376.4(a)(1). X

X Violation

X Satisfactory
NA Not Applicable

2. ___ The individual wastes listed in 1. above have been land disposed only when an extract of the waste or the treatment residue as determined by TCLP or EP-Tox does not exceed the value shown in Table CCWE for any hazardous constituent - 376.4(a)(1)(i). NA

3. ___ A restricted waste that has a specified treatment technology [376.4(c)(1)] has been land disposed only after treatment using that technology or an equivalent treatment method approved by the EPA Administrator - 376.4(a)(2). X

B. Treatment Standards Expressed as Constituent Concentrations in Waste Extract.[5]

1. ___ Table CCWE identified the restricted wastes and the concentration of their associated constituents which may not be exceeded by the extract of a waste or waste treatment residual as determined by either TCLP or EP-Tox as specified in A.1. & 2 above for allowable land disposal* - 376.4(b)(1). X

* Compliance with these concentrations is required based upon grab samples.

2. ___ If wastes with differing treatment standards for a constituent of concern are combined for purposes of treatment, the treatment residue meets the lowest treatment standard for that constituent - 376.4(b)(2). X NS

C. Treatment Standards Expressed as Specified Technologies.[5]

1. ___ Any wastes identified in a-d below, Table 2* or Table 3** of 376.4(c) have been treated using the technology or technologies specified in a-d below or in Table 1*** - 376.4(c)(1). X

* Technology-Based Standards by RCRA Waste Code.

** Technology-Based Standards for Specific Radioactive Hazardous Mixed Waste.

*** Description of Technology-Based Standards and Five-Letter Technology Codes.

a. ___ Liquid hazardous wastes containing PCBs greater than or equal to 50 ppm and less than 500 ppm have been incinerated in accordance with 40 CFR 761.70, or burned in high efficiency boilers in accordance with 40 CFR 761.60* - 376.4(c)(1)(i). NA

b. ___ Liquid hazardous waste containing PCBs greater than 500 ppm have been incinerated in accordance with 40 CFR 761.70* - 376.4(c)(1)(i). NA

* Thermal treatment is also in compliance with all applicable NYS regulations.

c. ___ Hazardous wastes containing halogenated organic compounds in concentrations greater than or equal to 1,000 mg/kg that are prohibited under 376.3(b)(1), have been incinerated** - 376.4(c)(2)(ii). NA

** These treatment standards do not apply where the waste is subject to a treatment standard for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established).

d. ___ A mixture of wastewater (the discharge of which is subject to regulation under ECL Article 17 or the Clean Water Act) and de minimis losses of materials from manufacturing, which meets the criteria of the D001 ignitable liquids containing greater than 10% organic constituents (TOC) subcategory, has been treated using the DEACT treatment standard - 376.4(c)(1)(iii). NA

2. ___ An alternative treatment method approved by the EPA Administrator has been used in lieu of a standard established in Parts 376.4(c)(1), (3) and (4) - 376.4(c)(2). [Complete Items VII.C.1, 3 & 4.] NA

3. ___ As an alternative to the otherwise applicable 376.4 treatment standards, lab packs have been land disposed provided the following requirements are met: - 376.4(c)(3). NA

a. ___ Lab packs comply with the applicable provisions of 373-2.14(l) and 373-3.14(i); 376.4(c)(3)(i). NA

b. ___ All hazardous wastes contained in lab packs are specified in Appendix 38 or 39 of this title; 376.4(c)(3)(ii). NA

c. ___ The lab packs are incinerated in accordance with the requirements of 373-2.15 and 373-3.15; 376.4(c)(3)(iii). NA

d. ___ Any incinerator residues from lab packs containing D004 - D008, D010, and D011 are treated in compliance with the applicable treatment standards for such wastes - 376.4(c)(3)(iv). NA

X Violation

X Satisfactory
NA Not Applicable

D. **Treatment Standards Expressed as Waste Concentrations.**[5]

1. ___ Table CCW identifies the restricted wastes and the concentrations of their associated constituents of concern which may not be exceeded by the waste or treatment residual (not an extract of either) for allowable land disposal* - 376.4(d)(1). X

* Compliance with these concentrations is required based upon grab samples, unless otherwise noted in Table CCW.

2. ___ When wastes with differing treatment standards for a constituent of concern have been combined for treatment, the treatment residue meets the lowest treatment standard for that constituent - 376.4(d)(2). X

3. ___ For organic constituents specified by footnote in Table CCW, the treatment and disposal facility has: - 376.4(d)(3). NA

a. ___ Certified compliance with the treatment standards, and NA

b. ___ Satisfactorily demonstrated the following conditions: NA

(1) ___ The treatment standards for the organic constituents were established based on incineration or based on combustion in fuel substitution units - 376.4(d)(3)(i). NA

(2) ___ The organic constituents have been treated using the methods specified in (1) above - 376.4(d)(3)(i). NA

(3) ___ The treatment or disposal facility has been unable to detect the organic constituents despite its best good-faith efforts as defined by applicable Department guidance or standards - 376.4(d)(3)(iii). NA

E. **Variance From a Treatment Standard.**[5]

1. ___ Each petition for a variance from a treatment standard has been submitted to the EPA Administrator in accordance with the procedures outlined in 40 CFR 260.20 - 376.4(e)(2). NA

2. ___ Each petition includes the required certification - 376.4(e)(3). NA

3. ___ A generator, treatment facility or disposal facility that is managing a waste covered by a variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(6). NA

4. ___ During the petition review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(7). NA

5. ___ Applications for a site-specific variance must include the information in 40 CFR 260.20(b) - 376.4(e)(9). NA

6. ___ The generator, treatment facility or disposal facility managing a waste covered by a site-specific variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(11). NA

7. ___ During the application review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(12). NA

F. **PCB Disposal.**[5]

1. ___ Except for waste B002, all PCB waste not regulated under 376.3(b) has been disposed of in accordance with 40 CFR 761 (TOSCA) - 376.4(f)(1). NA

2. ___ Waste B002, from any source other than a spill, has not been stabilized or mixed with any substance in order to conform with 40 CFR 761 regarding land disposal - 376.4(f)(1)(i). NA

VIII. Prohibition on Storage of Restricted Wastes

A. ___ The storage of hazardous wastes restricted from land disposal is permitted provided that: - 376.5(a)(1). X

1. ___ The generator has: X

a. ___ Stored restricted waste in tanks or containers on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(1)(i). X

b. ___ Complied with all storage requirements of 372, 373-1, 373-2, and 373-3. [Complete Inspection Report.] - 376.5(a)(1)(i). X

c. ___ Stored all restricted wastes for 90 days or less - 376.5(a)(1)(i). X

2. ___ The owner or operator of a hazardous waste treatment, storage, or disposal facility has: NA

   a. ___ Only stored restricted wastes in tanks or containers for up to one year solely for the purpose of the accumulation of such quantities as necessary to facilitate proper recovery, treatment or disposal - 376.5(a)(1)(ii). NA

   b. ___ Clearly marked each container or tank to identify its contents and the date each period of accumulation begins - 376.5(a)(1)(ii)(a). NA

   c. ___ Maintained in the operating record the contents and beginning accumulation date for each tank and container - 376.5(a)(1)(ii)(b). NA

   d. ___ Complied with all operating record requirements of 373-2.5(c) or 373-3.5(c) - 376.5(a)(1)(ii)(b). [Complete Appendix A Items 11.B.1-20.] - 376.5(a)(1)(ii)(b). NA

3. ___ The transporter has stored manifested shipments of restricted wastes at a transfer facility for 5 days or less - 376.5(a)(1)(iii). NA

4. ___ Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm have been stored at facilities that meet the requirements of 371 through 376 and 40 CFR 761.65(b), and have been removed from storage and treated or disposed of as required within one year of the date when such wastes were placed in storage - 376.5(a)(6). NA

B. ___ Unless the Department can prove that such storage was not solely for the purpose of accumulation of such quantities as necessary to facilitate proper recovery, treatment or disposal, the owner/operator of a treatment, storage or disposal facility may store restricted waste for up to one year - 376.5(a)(2). NA

C. ___ The owner/operator of a treatment, storage or disposal facility has stored restricted waste beyond one year and has proven that the storage was solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(3). NA

APG Auto Body Inc
NYD 981 134 687

GENERAL INSTRUCTION
FOR WASTE MINIMIZATION CHECKLIST

I. Legislation and Authority

A. The EPA is given the authority by Congress through the Hazardous and Solid Waste Amendments of 1984 (HSWA) to protect the enviroment by "minimizing the generation of hazardous waste and the land disposal of hazardous waste by encouraging process substitution, material recovery, properly conducted recycling and reuse, and treatment;" (HSWA, sec.1003(a) (6). Through this and other legislative actions, Congress has made clear it's intention that the reduction of hazardous waste is far more desirable than the safe disposal of hazardous waste.

B. HSWA sets forth two basic requirements for generators and treatment, storage and disposal facilities (TSDFs). They are:

1. that hazardous waste generators submit waste minimization reports as part of the biennial reports (3002 (a)(6),

2. that generators certify on the manifest that they have a waste reduction program in place (3005 (h))

II. Pre-inspection procedures:

Review any company documents regarding waste minimization activities conducted by the handlers to be inspected. (PAB files/ permit files if TSD). This should include records of the annual reports (AR) submitted to the states, or the biennual reports submitted to EPA. The AR/BER contain a description of the efforts taken during the year to reduce the toxicity and volume of waste generated, as well as the actual reductions achieved.

Waste Minimization Checklist

GENERATOR CHECKLIST

MANIFEST

GENERAL 262.20	YES	NO	N/A
Does the generator, offer for tranportation, hazardous waste for off-site treatment/disposal? If yes, proceed to next question. If no, proceed to 264.75/265.75.	X		
262.23			
Does the generator sign the manifest certification which states;	X		

" If I am a large quantity generator, I have a program in place to reduce the volume and toxicity of the waste generated to the degree I have determined to be economically practical and that I have selected the practical method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the enviroment; OR, if Iam a small quantity generator, I have made a good effort to minimize my waste generation and select the best waste management method that is available to me and that I can affort."

Does the generator have a written Waste Minimization Plan?		X	
If no, ask the generator to describe his plan orally.	Reduce quantities purchased		

COMMENTS:
(Explain in this space the areas that visually show evidence that a program is in place and is being implemented)

ANNUAL /BIENNIAL REPORT

262.41	YES	NO	N/A
Has the generator submitted Annual (AR) or Biennual reports (BER) to the appropiate regulatory agency?	___	___	X

The inspector should review these reports prior to the inspection (see above), and should try to verify the information in the report during his/her site inspection. The following questions should be addressed during the inspection.

262.56 (5)			
Does the BER or AR include the efforts undertaken during the year to reduce the volume of toxicity of the wastes generated?	___	___	X
Does the BER or AR include a description of the changes in volume and toxicity of the wastes actually achieved during the year in comparison to previous years?	___	___	X
Do these efforts match the information contained in the generator's written or verbally described waste minimization program.	---	---	X
Is the BER or AR certification signed by the generator or authorized representatives?	___	___	X

TSDF CHECKLIST

The inspector should review a copy of the AR/BER prior to the inspection, and should try to verify the information in the report during his inspection. The following question should be addressed during the inspection.

	YES	NO	N/A
Does the AR/BER include the efforts undertaken during the year to reduce the volume of toxicity of the waste generated?	---	---	X ---
Does the AR/BER include a description of the changes in volume and toxicity of the wastes actually achieved during the year in comparison to previous years?	---	---	X ---
Doe these efforts match the information contained in the generator's written or verbally described waste minimization program.	—	—	X —
Is the AR/BER certification signed by the generator or authorized representatives?	---	---	X ---
264.75/265/75 (h-j) Does the generator treat, store and dispose hazardous waste on site?	---	X ---	---
If yes to the above question, does the generator submit BERs or ARs to the appropiate regulatory agency?	---	---	X ---

INSPECTOR'S MULTI-MEDIA CHECKLIST

Facility Name: JPC Auto Body Inc

Facility Address: 1632 Hylan Boulevard
Staten Island, NY 10305

Facility ID No.: NYD 981134687

Inspector's Name: Michael Sardese

Inspector's Phone: (908)563-1100 Division/Branch: TRC

Date of Inspection: 12/17/93

Form Revised 1/15/92

INSPECTORS' MULTI-MEDIA CHECKLIST

GENERAL VISUAL CUES OF POSSIBLE NONCOMPLIANCE WARRANTING FURTHER INQUIRY

1. Sloppy housekeeping or poor maintenance in work and storage areas or laboratories.

2. Stains or discoloration of soil, concrete, or floors in work areas.

3. Distressed vegetation - unhealthy, discolored, or dead.

4. Dark smoke or dust clouds, or smoke coming from other than a smoke stack.

5. Unusual odors or strong chemical smells.

6. Sheen on surface waters.

CHECK IT OUT!

1. If you see or hear something suspicious during an inspection, check it out! Ask probing questions:

   - What is it? Is it a waste product?
   - What process produced it?
   - Has it been tested?
   - Where do you normally dispose of it?
   - Do you have a permit for the disposal?
   - How long has the circumstance existed?
   - When did it begin?

2. Pay attention to the situation.

   - Note amount of pollutant that appears to be involved.
   - Note the location.
   - Take notes describing the situation, noting the source of the pollutant and its emission point.
   - Take photographs.

PROGRAM-SPECIFIC QUESTIONS

Refer to program-specific questions in Attachment A appropriate for the facility you are inspecting.

REPORTING POSSIBLE NONCOMPLIANCE

Throughout this checklist, there are YES/NO questions. If you place an answer in a field marked with an asterisk (*), this means you should promptly refer the matter to the appropriate Region II program office. After you return from your inspection, immediately let your supervisor know that you observed possible noncompliance in another program area during your inspection. The information should then be referred to the appropriate Section Chief listed on Attachment B.

UNDERGROUND STORAGE TANKS (UST)

Ask:

1. Does the facility have regulated USTs? ___YES _X_NO

   [A regulated UST has more than 10% of tank volume, including piping, located underground; **and** contains petroleum products or hazardous substances (as defined under CERCLA). Note: USTs containing fuel oil for on-site heating are exempt from UST requirements.]

If YES, ask:

2. Are the USTs registered with the State? ___YES ___NO*

3. What kind of petroleum product or hazardous substance does UST contain? _____

4. Is there any evidence of UST leakage/spillage? ___YES* ___NO

5. When was the UST installed? _____

6. All USTs must have leak detection according to the following schedule:

Installation Date	Leak Detection By December of--
Before 1965 or unknown	1989
1965 - 1969	1990
1970 - 1974	1991
1975 - 1979	1992
1980 - Dec. 1988	1993

   All USTs installed after December 1988 must currently be equipped with leak detection.

   Leak detection systems include monitoring wells (water or vapor), automatic tank gauging system, interstitial monitoring, manual tank gauging or inventory control plus tank tightness testing.

7. Is some form of leak detection in use for every UST required (based on above schedule) to have it? ___YES ___NO*

8. Are required records available on-site (e.g., documenting registration and leak detection)? ___YES ___NO*

REFER to program office if you check an answer marked with *.

AIR

Stationary Source Compliance

1. **With sun <u>BEHIND</u> you, observe:** Is opaque smoke being emitted from a smokestack, vent or opening? ___YES* _X_NO

["Opaque smoke" is smoke -- <u>not steam</u> -- dark enough to obscure anything behind the plume for five minutes or more. (Steam dissipates at a given point; smoke trails off.) The sun (if not obscured by clouds) should be in a 140° arc behind the observer. **Please note whether sun was obscured; if sun was not obscured, note the relative positions of the sun, the observer and the emission point observed.**]

2. **If YES, ask:**

   A. Which process or process line is smoke coming from? (Try to be specific, <u>e.g</u>, "Boiler No. 4" or "Coating Line C"). _____

   B. What is the cause of the smoke emission? <u>E.g</u>.--

      i. Is any air pollution control equipment out of service or turned off while production is ongoing? ___YES ___NO

      ii. **If YES:** When will it be back on line? _____

      iii. Is the facility operating under an unusual load, using different fuels, or process feed materials?___YES ___NO

   C. Note color of smoke: _____

3. A. Has the facility added any processes or expanded any pre-existing processes in the last two years? ___YES _X_NO

   B. **If YES:** Did the facility obtain any state or federal air pollution permits for the expansion? ___YES ___NO*

4. A. Does the facility have any coating or printing operations? _X_YES ___NO

   B. **If YES:**

      ii. Are the coatings or inks used: ____water-based or _X_solvent-based?

      i. If solvent based, are all process lines controlled, or are coating formulations in use which comply with applicable limits? _X_YES ___NO*

      iii. What are the principal solvents or chemical compounds used in process lines? Toluene, MEK
      (Ask for copies of MSDS, if available.)

REFER to program office if you check an answer marked with *.

AIR, Continued

5. **Observe:** Are there strong solvent odors at the facility? ___YES* X NO

7. Does the facility emit any of the following pollutants: mercury, beryllium, lead or asbestos? ___YES* X NO

8. A. Does the facility emit, or use in its processes, vinyl chloride or benzene? ___YES* X NO

   B. **If YES:**

      i. From which process lines?. _____

      ii. Does the facility check for leaks on such process equipment? ___YES ___NO*

9. A. Has the facility undergone any renovations or demolitions during the last 18 months which involved the removal or disturbance of asbestos-containing materials? ___YES X NO

   If YES:

   B. Approximately how many square feet or linear feet of asbestos-containing materials were removed? _____

   C. If the amount exceeded 260 linear feet, or 160 square feet, ***REFER*** to Air program office; and **Ask:** was EPA notified of removal? ___YES ___NO*

* * * * *

RADIATION

Ask:

1. Are any radioactive materials used or stored at this facility? ___YES X NO

2. **If YES,** does the facility have a state or federal radiation license? ___YES ___NO*

REFER to program office if you check an answer marked with *.

WATER

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) And PRE-TREATMENT/UNDERGROUND INJECTION CONTROL (UIC)

1. **Observe/Ask:** Does the facility dispose of any wastewater (e.g., from its manufacturing processes, wash water or other industrial wastes)? ___YES X NO

2. **If yes:** Does the facility discharge wastewater into a--

   - receiving stream? ___YES ___NO
   - municipal sewer (sanitary or storm) system? ___YES ___NO
   - subsurface disposal system (septic system, drywell or cesspool)? ___YES ___NO

   As applicable, ascertain the name of the stream or sewer system.

3. An NPDES permit is required for discharge to a waterbody; a pretreatment permit is usually issued by the municipality authorizing the discharge to a sanitary sewer system; and a UIC permit is required for subsurface disposal. Does the facility have a permit for each discharge? ___YES NA NO*

4. Does the facility treat wastewater prior to discharge? ___YES NA NO

5. **Observe:**

   a. Is the effluent from the wastewater treatment facilities clear and free of solids? ___YES NA NO*

   b. Is equipment clean and well maintained? ___YES ___NO*

   c. Are there any unusual odors? ___YES* ___NO

6. **Ask:** Is the effluent currently in compliance with the limitations established in the permit, or the terms of an administrative or judicial compliance order? ___YES NA NO*

REFER to program office if you check an answer marked with *.

NPDES and UIC, Continued

7. **Observe/Ask:**

   a. How are waste fluids disposed of? Manifested offsite to permitted TSDF

   b. Does the facility have floor or storm drains? ___YES X NO

   If YES:

   Is there fluid in the drains? Is there evidence (staining, etc.) of fluid entering drains? Are storm drains situated so that they could receive spills from truck loading accidents, etc?

   c. Does the facility operator indicate, or is there any evidence that any wastewater, or wastes/spills go into drains?
   ___YES* ___NO

PUBLIC WATER SUPPLY

1. **Observe/Ask:** Does the facility have its own water supply (i.e., a well)?
   ___YES X NO

2. **If YES:** Does the facility provide potable water for 25 or more persons?
   ___YES ___NO

3. **If YES:** Is the facility sampling and analyzing for contaminants in its water supply and reporting the results to the state?
   ___YES ___NO*

REFER to program office if you check an answer marked with *.

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)

EMERGENCY PLANNING and COMMUNITY RIGHT TO KNOW

ASK:

1. A. Does the facility have present any of the 360 "Extremely Hazardous Substances" in excess of established threshold planning quantities? ___YES ___X___NO

   [Threshold planning quantities are established by regulation, vary by chemical, and range from 1 lb. to 5000 lbs.]

   B. **If YES:** Was the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC) notified of their presence for local planning purposes? ___YES ___NO*

2. A. Has the facility had a release of an Extremely Hazardous Substance or a CERCLA hazardous substance in excess of the Superfund reportable quantity? ___YES* ___X___NO

   [Reportable quantities vary by substance, ranging from 1 lb. to 5000 lbs. For the purpose of this checklist, assume 1 lb.]

   B. **If YES:** Was notification of the release provided? ___YES ___NO*

   C. **If YES:**

   i. To whom was the notification given?

   ii. Was notification oral or written?

   iii. If oral, was a written, follow-up report submitted? ___YES ___NO*

   [If facility cannot identify to whom notification was given, cannot specify whether notification was written or oral, or is not certain whether oral notification was followed by a written follow-up report, ***REFER***.]

3. A. Does the facility have on site Material Safety Data Sheets (MSDS) for all hazardous chemicals used, as required under OSHA's Hazard Communication Standard? ___X___YES ___NO*

   B. If any hazardous chemicals are present in excess of 10,000 lbs., or Extremely Hazardous Substances are present in excess of the threshold planning quantities, have the MSDS (or a list of MSDS), along with chemical inventory forms, been submitted to state and local emergency planning authorities and the local fire department? ___YES ___N/A___NO*

REFER to program office if you check an answer marked with *.

EPCRA, Continued

TOXIC RELEASE INVENTORY (TRI)

Ask:

1. **Does the facility have 10 or more full-time employees?**
~4
___YES X NO

2. **Is the facility classified under SIC codes 20 through 39?**
X YES ___NO

If the response to either 1. or 2. is "NO," no further questions are required.

3. **If both 1. and 2. are YES:**

Did the facility use more than 10,000 lbs. of a chemical during a previous calendar year (starting with 1987). ___YES ___NO

4. **If YES:**

Did the facility file a Section 313 Toxic Chemical Release Inventory Form R for the chemical? ___YES ___NO*

For more EPCRA information, call 1-800-535-0202; or the Region II program offices for EPCRA-Emergency Planning and Community Right To Know at 908-321-6194 or for EPCRA-Toxic Release Inventory at 908-906-6890.

REFER to program office if you check an answer marked with *.

TOXIC SUBSTANCES CONTROL ACT (TSCA)

Ask:

1. A. Does the facility use electrical equipment that contains polychlorinated biphenyls (PCBs) (excluding small capacitors and florescent light ballasts)? ___YES* X NO

   B. **IF YES:**

   i. How many oil filled electrical transformers does the facility have?

   ii. How many PCB Transformers does the facility have (transformers which contain PCBs at concentrations of 500 ppm or greater)?

2. A. Does the facility have any high temperature hydraulic systems? ___YES X NO

   B. **If YES:**

   i. Have PCBs ever been used in these systems? ___YES* ___NO

   ii. What is the current PCB concentration in these systems?

3. A. Does the facility have any oil filled heat transfer systems? ___YES X NO

   B. **If YES:**

   i. Have PCBs ever been used in these systems? ___YES* ___NO

   ii. What is the current PCB concentration in these systems?

4. A. **OBSERVE** PCB Items (transformers, capacitors, containers)

   - Are any leaking? ___YES* NA NO
   - Do all have a PCB label? ___YES ___NO*

5. A. **ASK:** Does the facility have a PCB storage for disposal area? ___YES* X NO

   B. **If YES, OBSERVE** the PCB storage area. Does it have --

   - PCBs stored for disposal in it? ___YES* NA NO
   - a roof and walls to keep out rain? ___YES ___NO*
   - a 6" high impervious containment berm? ___YES ___NO*
   - a PCB label? ___YES ___NO*
   - Is it in the 100-year flood plain? ___YES* ___NO
   - Do all items show the date "removed from service for disposal"? ___YES ___NO*

REFER to program office if you check an answer marked with *.

TSCA, Continued

6. **ASK:** Does the facility manufacture or import into the United States "new commercial chemicals" [i.e., chemicals which were not previously manufactured in or imported into the United States]?
___YES* ___NO

[Note: Specific information on such chemicals is protected by TSCA as Confidential Business Information, and should not be obtained.]

For further TSCA information, call the TSCA Assistance Office in Washington at 202-554-1404 or the Region II TSCA program office at 908-321-6759.

* * * * *

SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC)

Ask:

1. A. Does the facility store oil? ___YES ___NO

[Note that oil is not limited to petroleum products; for example, vegetable oil is covered.]

B. **If YES**, does the storage capacity exceed --

i. 660 gallons in any one above-ground tank? ___YES ___NO
ii. 1320 gallons in all above-ground tanks? ___YES ___NO
iii. 42,000 gallons in underground tank(s)? ___YES ___NO

2. If the answer to any part of #1. B. was **YES**, does the facility have a Spill Prevention, Control, and Countermeasure (SPCC) Plan?
___YES ___NO*

3. Did the facility have an oil spill within the last 12 months?
___YES* ___NO

REFER to program office if you check an answer marked with *.

WETLANDS

1. **Observe:**

   A. Are there any wet areas (i.e., marshes, swamps, bogs) on or adjacent to the site, with or without wetlands-type vegetation such as cattails, rushes, or sedges? ___YES ___X___NO

   [Sketches of several common wetlands plants are attached. Note that there need not be standing water in order for an area to be designated a federal wetland; and some wetlands have shrubs and trees present.]

   B. Are there any waterbodies or waterways on or adjacent to the site? ___YES ___X___NO

2. If answer to # 1. A or B was "YES," is there any work (clearing, filling, dredging, ditching, construction on or over the area, etc.) being conducted in these areas, or is there any evidence that such activities have occurred very recently? ___YES ___NO

3. **If YES:**

   A. When was the work undertaken? _____

   B. Does the facility have any permits for this work? ___YES ___NO*

4. **If YES:**

   A. What agency(s) issued such permits? _____ (E.g., U.S. Army Corps of Engineers; State environmental agency.)

   B. For any federal permits, what specific type of permits are they (i.e., nationwide, regional, individual)? _____

   _____

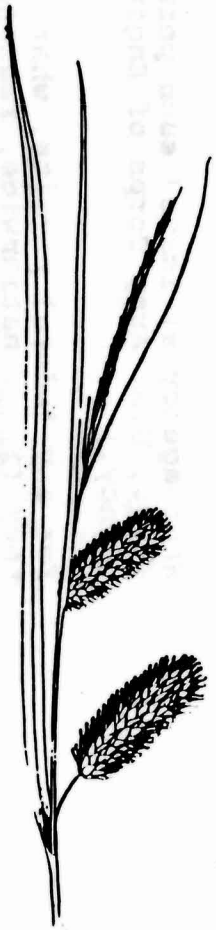
If facility is unable to provide adequate information in response to # 4., ***REFER*** to program office.

REFER to program office if you check an answer marked with *.

Scirpus cyperinus (L.) Kunth
Wool-grass or Woolly Sedge

Range. Newfoundland to Saskatchewan, south to North Carolina and Oklahoma.
Habitat. Marshes, wet meadows, and ditches.
General characteristics. Plants up to 5 feet tall, growing in small groups; stem with long, narrow, rigid leaves; flowers crowded into small, oval, woolly spikelets in loose, drooping clusters at the tip of the stem.
Stem. Upright, bluntly triangular, up to ¼-inch thick, from a fibrous rooted base.
Leaves. Stem leaves up to 16 inches long and ¼-inch wide, those immediately below the flower clusters three to five, sheaths closed except at summit.
Inflorescence. Flowers inconspicuous in the axils of the overlapping scales of the brownish spikelets; spikelets in clusters of six to twelve at the ends of long, somewhat drooping branches; flower cluster up to 12 inches long, much-branched; flowering during August–September.
Fruit. A whitish, seed-like nutlet with bristles much longer than the scales attached to the base; the bristles impart the woolly appearance to the spikelets.

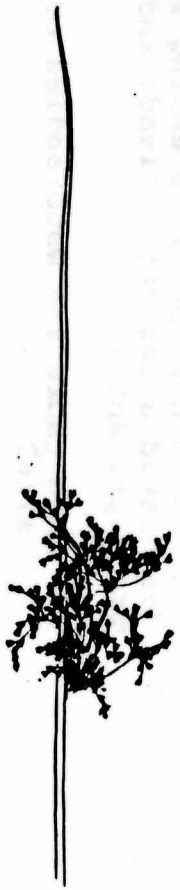
x½



Carex lurida Wahlenb.
Sedge

Range. Nova Scotia to Minnesota, south to Florida and Mexico.
Habitat. Wet meadows, marshes, ditches, edges of pools and ponds.
General characteristics. Plants up to 3 feet tall, generally growing in dense clumps; stems bearing several long, narrow leaves with rough surfaces; male and female flowers in separate spikes, the latter in the axils of the uppermost leaves.
Stem. Sharply three-angled and smooth, from a fibrous rooted base.
Leaves. Up to 10 inches long and ½-inch wide, those immediately below the flower clusters resembling the stem leaves; leaf sheath with a ligule at the junction of the blade, closed except at summit.
Inflorescence. Flowers in the axils of scales with long tips and aggregated in spikes, the male spike single, erect at the top of the stem, soon withering; female spikes two to four, thick-cylindrical, up to 2½ inches long and ¾-inch thick, sessile or short-stalked, erect or somewhat drooping, very densely flowered; flowering during June–July.
Fruit. A brown, seed-like nutlet enclosed in an inflated sac (the perigynium).

x1



JUNCACEAE
Rush Family
Juncus effusus L.
Soft Rush

Range. Throughout southern Canada and the United States.
Habitat. Wet meadows, marshes, edges of ponds and bogs, shallow water.
General characteristics. Grass-like plants up to 5 feet tall, apparently leafless, in tussocks of up to several hundred stems; flowers in loose clusters borne on the side of the stem up to one-third of the way down from the tip.
Stem. Upright, soft and green, finely striate, arising from a stout rhizome hidden among the tussocks.
Leaves. Without blades, represented by sheaths at the base of the stem.
Inflorescence. Flowers small and greenish to brown with three scale-like, pointed sepals and three similar petals, numerous; flower clusters with many forking branches of variable lengths, the flowers at the tips of the smaller branches; flowering during July–August.
Fruit. A brownish capsule with three partitions containing many seeds.
Commonly confused species. *Scirpus* spp. (Bulrushes); rushes may be distinguished from bulrushes by the fact that the fruits consist of capsules in the former group and nutlets in the axils of spikelet scales in the latter group.
Similar species. *Juncus oronensis*, *J. filiformis*, *J. balticus*, *J. stygius*, *J. repens*, *J. marginatus*, *J. biflorus*, *J. nodosus*, *J. scirpoides*, *J. brachycarpus*, *J. brevicaudatus*, *J. brachycephalus*, *J. acuminatus*, *J. debilis*, *J. militaris*, *J. articulatus*, *J. pelocarpus*, *J. subtilis*.

x⅔

Attachment B

REGION II MEDIA PROGRAM SECTION CHIEFS (and Alternate Contacts)

RCRA: Joel Golumbek (NJ, Caribbean), 264-2638
John Gorman (NY), 264-2621

AIR (Except Asbestos): Karl Mangels (NY), 264-6684
Jehuda Menczel (NJ, Caribbean), 264-6680

AIR/ASBESTOS: Robert Fitzpatrict, 264-6770

UST: Dit Fai Cheung, 264-6069

TSCA: Dan Kraft, 340-6669
Dave Greenlaw, 340-6817

EPCRA: For Toxic Release Inventory: Dan Kraft, 340-6669
Nora Lopez, 340-6890

For Emergency Planning & Community Right-to-Know:
John Higgins, 340-6194

SPCC: Doug Kodama, 340-6905

Federal Facilities: John Fillipelli, 264-6723

NPDES and Pretreatment: John Kushwara, 264-9878

UIC: Frank Brock, 264-1547

Public Water Supply: Robert Williams, 2164-3409

Wetlands: Daniel Montella, 264-5170

Removal Actions: Richard Salkie, 340-6658
Bruce Sprague, 340-6656
John Witkowski, 340-6991

Radiation: Paul Giardina, 264-4110
Mindy Pensak, 264-4418
Florie Caporuscio, 264-0503

Section Chiefs should contact their appropriate counterpart(s) on the above list concerning potential violations.

JPG Auto Body Inc
NJD 981 134 687

TOXICITY CHARACTERISTIC ("TC") INSPECTION CHECKLIST

1. Does the facility generate waste exceeding the regulatory level for any constituent listed in Table I-TC?

   Yes X No_____

   If no this checklist need not be completed.

2. Was the facility's waste(s) considered hazardous prior to the promulgation of the new TC requirement?

   Yes X No_____

   If No, proceed to question number 3.

   a) Does the generator determine and list on its manifests all of it's waste(s) TC characteristics?

      Yes X No_____

      Comments _____

   b) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted, a permit modification request indicating the new hazardous constituent(s) found in their waste(s)?

      Yes_____ No NA

3. Is the waste properly managed as a hazardous waste?

   Yes_____ No X

   If No, this is a high priority violation: Be sure to obtain a detailed description of the waste's final disposition.

   Comments containers left open when not in use

   a) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted, a permit modification request for the previously unregulated waste which has become hazardous as a result of the TC Rule?

      Yes_____ No NA

EFFECTIVE DATES FOR COMPLIANCE WITH TC REQUIREMENTS

Generators of ≥1,000 kg/mo. of hazardous waste	9/25/90
Generators of <1,000 kg/mo. of hazardous waste	3/29/91

TABLE 1-TC

TC Constituents and Their Regulatory Levels

Newly Added Constituents

Constituent	Regulatory Level (mg/l)	Constituent	Regulatory Level (mg/l)
D018 Benzene*	0.5	D032 Hexachlorobenzene	0.13
D019 Carbon Tetrachloride*	0.5	D033 Hexachloro-1, 3-Butadiene	0.5
D020 Chlordane	0.03	D034 Hexachloroethane	3.0
D021 Chlorobenzene	100.0	D035 Methyl Ethyl Ketone	200.0
D022 Chloroform	6.0	D036 Nitrobenzene	2.0
D023 O-Cresol	200.0	D037 Pentachlorophenol	100.0**
D024 M-Cresol	200.0	D038 Pyridine	5.0
D025 P-Cresol	200.0	D039 Tetrachloroethylene	0.7
D027 1, 4-Dichlorobenzene*	7.5	D040 Trichloroethylene*	0.5
D028 1, 2-Dichloroethane*	0.5	D041 2, 4, 5-Trichlorophenol	400.0
D029 1, 1-Dichloroethylene*	0.7	D042 2, 4, 6-Trichlorophenol	2.0
D030 2, 4-Dinitrotoluene	0.13	D043 Vinyl Chloride*	0.2
D031 Heptachlor	0.008	D026 Cresol	200.0

EP Constituents (Being Retained at Current Levels)

Constituent	Regulatory Level (mg/l)	Constituent	Regulatory Level (mg/l)
D004 Arsenic*	5.0	D011 Silver*	5.0
D005 Barium*	100.0	D012 Endrin*	0.02
D006 Cadmium*	1.0	D013 Lindane*	0.4
D007 Chromium*	5.0	D014 Methoxychlor*	10.0
D008 Lead*	5.0	D015 Toxaphene*	0.5
D009 Mercury*	0.2	D016 2, 4-D*	10.0
D010 Selenium*	1.0	D017 2, 4, 5-TP (Silvex)*	1.0

* Regulated based on an MCL.

**The Agency will propose a new (lower) regulatory level for this constituent, based on the latest toxicity information.

① Six 15-gallon Drums of Hydrochloric Acid
JPG Auto Body Inc
NYD981134687
1632 Hylan Blvd
Staten Island NY 10305
12/17/93
Michael Sadese

② Close up, 3 Drums on left side
JPG Auto Body Inc
NYD981134687
1632 Hylan Blvd
Staten Island, NY 10305
12/17/93
Michael Sadese

③ Close up, 2 drums on left side w/ tops missing
JPG Auto Body Inc
NYD981134687
1632 Hylan Blvd
Staten Island, NY 10305
12/17/93
Michael Sadese

④ Close up, 2 drums on Right side with Tops missing
JPG Auto Body Inc
1632 Hylan Blvd
Staten Island NY 10305
12/17/93
Michael Sadese

YHW-001 (REV. 9 86) 1 44763

State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

T-096

Please type or print in block letters. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039 Expires 9-30-

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. N Y 0 9 8 1 1 3 4 6 8 — Manifest Document No. 7 1 2 3 4 5

2. Page 1 of 1 — Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address
Attn: JOHN
J.P.G. AUTO BODY
1632 HYLAN BLVD.
STATEN ISLAND, NY 10305

A. State Manifest Document Number **NJA 1248684**

4. Generator's Phone (718) 979-9200

B. State Generator's ID SAME

5. Transporter 1 Company Name: Wellington, Ltd.
6. US EPA ID Number: N J 0 9 8 6 6 0 8 9 4 1

C. State Trans. ID NJDEP 3 1 0 3 3

7. Transporter 2 Company Name
8. US EPA ID Number

D. Transporter's Phone (609) 627-54

E. State Trans. ID

9. Designated Facility Name and Site Address
Marisol, Inc.
125 Factory Lane
Middlesex, NJ 08846
10. US EPA ID Number: N J D 0 0 2 4 5 4 5 4 4

F. Transporter's Phone ( )

G. State Facility's ID N/A

H. Facility's Phone (908) 469-5100

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	Waste No.
a. X Waste Paint Related Material Flammable Liquid NA 1263 (F003) (RQ 100/45.5)	0 0 1	T T	0 0 1 0	G	F 0 0 3
b.					
c.					
d.					

J. Additional Descriptions for Materials Listed Above
a. I.L.T. D001 D035
b.
c.
d.

K. Handling Codes for Wastes Listed Above
a. T 0 4
b.
c.
d.

15. Special Handling Instructions and Additional Information
DECAL # 63630 — TO 4 = Recovery
24 HR. EMERGENCY RESPONSE I.T. CORP. (800) 421-5574 EMERGENCY RESPONSE GUIDEBOOK REF. 2

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name: John Grotto — Signature: John Grotto — Month 12 Day 21 Year 93

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Paul K. Allbright — Signature: [signature] — Month 12 Day 21 Year 93

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name — Signature — Month Day Year

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.
Printed/Typed Name: Lewis H Dowrend — Signature: [signature] — Month 12 Day 21 Year 93

GENERATOR

In case of an emergency or spill immediately call the state the emergency occurred in and the N.J. Dept. of Environmental Protection. (609) 292-9560 (Day) (609) 292-7172 (Night)

EPA Form 8700-22 (Rev. 3/88) Previous editions are obsolete.

3 — TSD MAIL TO - GENERATOR

SIGNATURE AND INFORMATION *MUST* BE LEGIBLE ON ALL COPIES

Marisol Incorporated
125 Factory Lane
Middlesex, N.J. 08846

This notice is being sent to you in accordance with 40 CFR 268.7 to inform you that this shipment contains the solvents identified below which are restricted from landfill. You should be aware that the residues from the treatment of these materials may not be landfilled unless the concentration is below the applicable non-wastewater treatment standard(s).

Manifest contains the following EPA Hazardous Waste Numbers: (check box[es])

F001-> [ ] F002-> [ ] F003-> [✓] F004-> [ ] F005-> [ ]

The following materials are contained in the waste stream:

	MATERIAL	NON-WASTEWATER TREATMENT STANDARD (mg/l)
✓	Acetone	0.590
	Benzene	3.700 (total)
✓	n-Butyl Alcohol	5.000
	Carbon Disulfide	4.810
	Carbon Tetrachloride	0.960
	Chlorobenzene	0.050
	Cresols (and Cresylic Acid)	0.750
	Cyclohexanone	0.750
	1,2 Dichlorobenzene	0.125
	2-Ethoxyethanol	Incineration
✓	Ethyl Acetate	0.750
	Ethyl Benzene	0.053
	Ethyl Ether	0.750
	Isobutanol	5.000
	Methanol	0.750
	Methylene Chloride	0.960
✓	Methyl Ethyl Ketone	0.750
✓	Methyl Isobutyl Ketone	0.330
	Nitrobenzene	0.125
	2-Nitropropane	Incineration
	Pyridine	0.330
	Tetrachloroethylene	0.050
✓	Toluene	0.330
	1,1,1-Trichloroethane	0.410
	1,1,2-Trichloroethane	7.600 (total)
	1,1,2-Trichloro-1,2,2-Triflouroethane	0.960
	Trichloroethylene	0.091
	Trichloroflouromethane	0.960
✓	Xylene	0.150

LAND DISPOSAL RESTRICTION NOTICE

In accordance with 40 CFR 268.7 this notice is to inform you that these wastes are restricted from land disposal unless they are treated: 1.) to below the tratment standards specified in 268.41 or 2.) in accordance with the technology-based standards defined in 268.42, namely, FSUBS (Fuel substitution), INCIN (Incineration) and/or RORGS (Recovery of organics).

The wastes are:

- ✓ D001
- _____ D002
- _____ U001
- _____ U002
- _____ U003
- _____ U004
- _____ U008
- _____ U009
- _____ U012
- _____ U019
- _____ U028
- _____ U031
- _____ U037
- _____ U043
- _____ U044
- _____ U051
- _____ U052
- _____ U053
- _____ U054
- _____ U055
- _____ U056
- _____ U057
- _____ U069
- _____ U070
- _____ U071
- _____ U072
- _____ U076
- _____ U077
- _____ U078
- _____ U079
- _____ U080
- _____ U083
- _____ U084
- _____ U085
- _____ U088
- _____ U092
- _____ U102
- _____ U107
- _____ U108
- _____ U110
- _____ U112
- _____ U113
- _____ U117
- _____ U118
- _____ U121
- _____ U122
- _____ U124
- _____ U125
- _____ U140
- _____ U152
- _____ U154
- _____ U159
- _____ U161
- _____ U162
- _____ U169
- _____ U171
- _____ U186
- _____ U188
- _____ U191
- _____ U194
- _____ U196
- _____ U203
- _____ U208
- _____ U209
- _____ U210
- _____ U211
- _____ U213
- _____ U220
- _____ U225
- _____ U226
- _____ U227
- _____ U228
- _____ U239
- _____ U328
- _____ U358
- _____ U359

GENERATOR JPG Auto Body MANIFEST No. NJA 1248684

SIGNATURE [signature] DATE 12-12-91

thrdthrd wk! Revised 8/8/90 PLEASE REVIEW OTHER SIDE!